

*Professor Eduard
Seligman &
With the highest regard
from your people
The Author
J. M. Studier*

Prof. E. R. A. Seligman

THE WAR

AND THE

JEWS IN RUSSIA

PUBLISHED BY
THE NATIONAL WORKMEN'S COMMITTEE
ON JEWISH RIGHTS
NEW YORK

THE NATIONAL WORKMEN'S COMMITTEE ON JEWISH RIGHTS

175 EAST BROADWAY, NEW YORK

Dr. FRANK F. ROSENBLATT,
Treasurer

DR. MAX GOLDFARB, •
Secretary

Sholem Ash
A. Block
J. M. Budish
S. Dropkin
M. Gillis
Dr. B. Hoffman
M. Kaz
H. Lang
S. Shore
P. Juditz

S. Liliput
M. Lulow
M. Olgin
J. Panken
A. Roberts
J. B. Salutsky
Assemblyman
A. Shipliakoff
B. Vladeck
G. H. Yeshurin

COMMITTEE ON PUBLICITY

DR. HENRY MOSKOWITZ,
Chairman

J. M. BUDISH,
Secretary

Dr. M. Goldfarb
M. Kaz
M. Olgin

Dr. B. Hoffman
Dr. F. Rosenblatt
Dr. N. I. Stone





CONTENTS

Preface	Page
	5-6
Introdution	7-28

PART ONE

Legal Position of Jews in Russia.....	29-41
Extracts from Original Russian Laws	40-41

PART TWO

Documentary Record of Jewish Oppression During Present War	42-118
--	--------

CHAPTER I

The Jews and the War—Report by Central Committee of the Russian Party of People's Freedom (Constitutional Democrats)	42-67
Resolution of Kadet's Conference	67-71
Addenda: Order of General Jakowlow—Hostages demanded by Governor Griasnoff—Expulsion Order from Kovno	71-73

CHAPTER II

Public Opinion in Russia—Anti-Jewish Policies of Government Denounced in the Duma by Miliuoff, Chkheidze, Kernsky and Freedman.....	74-81
---	-------

CHAPTER III

Interpellation of the Government in the Duma..	82-85
--	-------

CHAPTER IV

Russian Censorship Suppressing Information Favorable to Jews Denounced in the Duma.....	86-88
---	-------

CHAPTER V

Public Opinion of Conservative Russia—Speech by Baron Rosen in the Council of Empire....	89-90
--	-------

CONTENTS (Continued)

CHAPTER VI

Municipalities and Zemstvos Demand Equal Rights for Russian Jews	Page 91-92
---	---------------

CHAPTER VII

Voice of Russian Trade and Professional Organ- izations	93-95
--	-------

CHAPTER VIII

Voice of Leading Russian Writers and Publicists	96-101
---	--------

CHAPTER IX

Plight of Jewish Exiles	102-104
-------------------------------	---------

CHAPTER X

The Alleged Abolition of the "Pale"	105-112
---	---------

CHAPTER XI

The Alleged Cancellation of Proceedings Under Article 1171 of Volume XV of the Penal Code.	113-116
---	---------

CHAPTER XII

New Restrictions of Jewish Rights Imposed Dur- ing the War	117-118
---	---------

APPENDIX

I—Public Opinion in the United States and Great Britain	119-123
II—A London Appeal	124-127

Preface

This book is published by the Jewish National Workmens Committee on Jewish Rights in the belligerent countries and in Roumania. This Committee was organized at the Jewish National Workmen's Convention held in New York City from September 4 to 7, 1914. The convention represented, among others, the following organizations:

1. The United Hebrew Trades.
2. The Jewish Workmen's Circle.
3. The Jewish Federation of the Socialist Party of the United States.
4. The Jewish Socialist Territorialist Labor Party.
5. The Labor Zionists.
6. The Central Alliance of the Jewish "Bund."
7. The Jewish National Workmen's Alliance, and numerous local Jewish Labor Organizations throughout the country. These organizations comprise a total membership of over 350,000, represented by 197 delegates.

The convention unanimously adopted resolutions demanding full and equal civil, political and national rights for the Jews in all countries where they are at present suffering from disabilities and restrictions.

The convention elected a representative committee. It was instructed, first, to inform public opinion of the United States and Europe, concerning the suffering and humiliating position of the Jews in the war countries; second, to appeal to the people and the government of the United States to intervene on behalf of the Jews of Europe at the Peace Conference after the war; third, to address similar appeals to the International Congress of Socialists, to Peace Conferences and to other organized bodies concerned with international relations and, finally, to unite with organizations of any other

classes or groups of the Jewish population of America for the achievement of these aims.

The convention unanimously favored the convening of a congress of American Jews consisting of delegates elected on a democratic basis by local Jewish organizations in order that the efforts of the entire American Jewish population be directed and united on behalf of our unfortunate brethern in the war stricken countries.

This book consists of two parts. The first gives a concise summary of all the Jewish disabilities in Russia which were in force at the outbreak of the war. The second is a record based upon authoritative documents of Jewish persecutions during the war, despite the fact that at least 400,000 Jews are fighting for their country. The citations are taken exclusively from literal translations of Russian official documents and from reports printed in the Russian press which were passed upon and unchallenged by the rigid Russian military censorship. No use was made of any reports which came from a source unfriendly to Russia. No consideration was given to the accounts of refugees who succeeded in reaching American shores or to letters which evaded the censorship. Only such reports and documents were used which admit of no reasonable doubt as to their originality, genuineness, or accuracy. For the busy reader a brief summary of the documentary evidence is given in the introduction.

This book is submitted to the American people with full confidence that the facts recited therein will lead the government and the people of the United States to urge for the Jews when the international occasion arises, those civil, political and national rights which constitute the basis of a civilized society.

J. M. BUDISH, Secretary,
Committee on Publicity.

INTRODUCTION *

At the outbreak of war, the Jews fully entered into the spirit of enthusiasm which seized upon all the nationalities of the Russian Empire. They were convinced that without victory "it would be impossible for Russia to continue on the road of progress, to exist as a modern state."

Ready to forget and forgive recent affronts and outrages, to deny even to themselves their just claims against the Russian Government they threw themselves into the struggle for the triumph of "those great ideals of humanity," for the defense of which, they were convinced, Russia and her allies had taken up arms.

Notwithstanding the greater military burden imposed on the Jews in comparison with other Russian nationalities, † "mobilization among the Jewish population was completed practically without arrears. The newspapers recorded striking numbers of Jewish volunteers. Among these were students of foreign universities who, by the established Government maximum for Jews, were deprived of the right to study in Russia."

From the far and "promised land," America, Jews returned to share in the struggles of their fatherland, ** which has always treated them as step-children.

"A considerable number of the youth who were studying abroad entered the Allied armies. The press reproduced petitions from Jews, who were enrolled in the subsidiary services, requesting to be transferred to the fighting units."

Over 300,000 Jewish soldiers served under Russian colors during the first months of the war and their numbers must since have been increased by at least half.

* All citations in this Introduction are taken from the original Russian documents, which the reader will find in Part II of this book.

† See Part I, page 33.

** See Part II, page 77.

On the other hand the burdens of war that fell on the peaceful Jewish population were greater than their proportional number in the total population. Penned up by law in the towns and cities of the western provinces of Russia (Poland and "The Pale"), which became the theatre of war, the Jews were the first to feel the economic and financial distress caused by the international crisis.

These cities with a predominant Jewish population were the nearest to the very theatre of military operations. It fell upon them to give the first aid to the wounded, and to furnish relief for the inhabitants of the small towns, stripped to the last thread by the reconnoitring vanguards of both the invading and retreating armies. The Jews rallied to the tremendous problem. They equipped hospitals for wounded soldiers and organized relief for war sufferers without distinction of race or religious denomination.

Under such circumstances it was only too natural to expect that the government would take serious measures to alleviate the burdensome legal position of the urban Jewish population in the war-stricken provinces. In this great hour when the fate of the fatherland was to be decided, the Government, it was thought, would at least suspend its barbarous persecuting policy toward the Jews. The most reactionary elements in Russian society expected such action by the Government, if only for the duration of the war. They were themselves ready to suspend their antisemitic agitation.

All such expectations proved to be vain. Russia showed herself once more a country of unlimited possibilities; a country in which people sharing all the burdens and duties of a national war, could, none the less, be subjected to persecutions and torture.

The Russian Government in its historic efforts to maintain "the outlived past" dared not deprive itself of its chance "to exploit antisemitism as a tried weapon of sinister demagogism." After the outbreak of war, municipal self government was introduced

(March 30, 1915) in Poland. But though more than 300,000 Jews are fighting in the ranks to retain Poland for the Russian crown, they were subjected by this new law to the most extraordinary discriminations. The new municipal resolutions restrict the Jewish population in the city councils as follows:

"In cities where Jews comprise over one-half of the total population of the city, they elect one-fifth of the total number of city aldermen; in other cities the number of Jewish aldermen shall in no case exceed one-tenth of the total number of aldermen."

In addition, Jews are not eligible for Chairmen of Municipal Councils, or as Presidents, City Elders, or members of the Executive Committes, or as Secretaries or Acting Secretaries. Even more striking are the rules introduced (April, 1915), by the Acting Minister of Public Education with regard to the admittance to Secondary School of the children of Jews who have been called into the active army and have received a distinction or of those who have been killed or wounded.

According to these rules such children shall be given preference over other Jews, but only for admittance to "Jewish Vacancies" and only "in the limits of the per cent. norm." Thus the children of Jews who have died for their fatherland are denied the privilege of a secondary school education if the small government maximum * for Jews be filled.

Not satisfied with the continuance of its usual antisemitic policies the Government entered upon a policy of sinister meaning. To justify before the nation the ill-success of military operations, "measures were undertaken by the government in good time to incite the army and the people against the Jews by taking advantage of the circumstances and the rules of war-time."

Unfortunately the very peculiarities of the place and nature of the military activities created a favorable opportunity.

Poland was the chief theatre of the war, especially

* See below, pages 32 and 118.

so at the beginning of the war. The Jews of Poland are easily distinguished from the surrounding population by their traditional garb and the Yiddish language. Owing to existing educational restrictions,* there are many small Polish towns where no Jew, speaking the Russian language fluently can be found. In addition, "it happened that in many localities the Germans appeared on the ground before the Russian forces. The Russian troops, pushing out the Germans, arrived in these towns only after the inhabitants had been stripped of practically everything by German military requisitions and plunderings. The demands addressed to the Jews, the only shopkeepers in these localities could not be satisfied." Under such circumstances it was almost inevitable that suspicion should grow up in the ranks of the Russian army against the Jews. Suspicion gave rise to violence on the part of the Russian troops against the terror-stricken Jews. Another fact that was greatly responsible for the hostile attitude of the Russian army toward the Jews consisted in the unfriendly relations between the Polish and Jewish population which have developed of recent years.

"The economic boycott of Jewish trade that has been preached for the last several years has awakened, among the different groups of the Polish population, and particularly among the small business men, unwholesome race hatred and religious hostility. In a struggle of such a nature no weapon is considered too mean."

The circumstances of the war were only too readily seized upon by the boycott leaders and hostile elements of the local population. The Russian troops were ready to give credence to the most absurd calumnies. It is easy to imagine the impression made upon the Russian soldiers by allegations coming from kindred Slavs to the effect that the Jews had voluntarily delivered everything of use to the Germans and were hiding everything from the Russians. There were fables of gold being sent

* See below, page 32.

to Germans in coffins or in the intrails of geeses, of a Jew on a white horse passing before the Russian army and giving signals; of telephone wires led for miles by means of thick wires and cords; of windmills brought into movement by human hands.

In spite of the fact that the Government had knowledge of the falsity of all these accusations, in spite of the fact that no courts of record brought out a single conviction against a Russian Jew for espionage, it not only tolerated, but at first actively encouraged and then directly took upon itself the initiative in the fabrication and spreading of these slanders. The provocative policy of the Government's secret agents against the loyal peaceful Jewish population was substantiated by a verdict of the Military Corps' Court as early as April, 1915. *

Much more dangerous than these false accusations against individuals, was the general treatment accorded by the military authorities to the Jew in the war zone. Scarcely had the enemy reached the frontiers of Russia when a series of sporadic "wholesale expulsions of the Jews and the Jews only" was inaugurated by individual commanders in isolated districts. In this manner Jews were expelled from many towns of the provinces of Lomzha, Radom, Lublin, and Warsaw. Such expulsions were followed by proclamations and orders alleging that these measures were undertaken in order "to prevent espionage." Expulsions, carried out almost without notice and with "immeasurable brutality," without sparing even the families of reservists, directed against the old, the sick, and paralyzed "suggested to the people and to the army the recognition of the fact that the Jews were treated as enemies by the Government, and that the Jewish population was outside the law."

In this manner the ground was gradually prepared for a far-reaching and systematic campaign by the Government authorities, in the form of calumnes and

* See below, page 48.

slanders against the Jews as an excuse for the reverses of the war:

"In order to have suspicion averted from these who were the real cause of German omniscience as to our military plans, the Government deemed it necessary to circulate in civil society and throughout the ranks of the army, calumnies against that part of the population which so easily lent itself to suspicion."

The Russian Military Industrial Committee, "observing the workings of the government departments from the very beginning of the war," openly declared that it "came to the conclusion that they were unable to cope with the situation." To direct public attention in another direction "a fictitious culprit" was to be invented and measures were taken to concentrate upon him the attention of the (Russian) people so that the real culprits might escape," "for this purpose there exists the old firm—the Jew."

First of all "the censorship set out to suppress the truth about the Jews, and to encourage all sorts of falsehoods and libels" against them. "From the first day of war the censors were eliminating from the press columns everything that bore evidence of Jewish gallantry, of awards of insignia of distinction to Jews, of the promotion of Jews to the rank of ensign, and so on. The editorial offices of progressive newspapers like *Rech*, *Dyen*, *Birzheviya Vedomosti*, and *Petrogradsky Kur'yer*, possessed long columns of such news cancelled by the censors."

Even the pictures of Jewish Chevaliers of St. George with no mention that they were pictures of Jews were suppressed by some of the censors, for fear the reader might guess their origin. Because the "New Vosk-hod" set out to collect data on "the war and the Jews," this journal was suspended by the censorship.

“On the other hand, the censor permits the publication of such absurdities as Jewish doctors maiming Russian soldiers at the Red Cross hospitals and infecting them with syphilis.”

Finally to deprive the Jews of any means of defense or of influencing public opinion “the entire Yiddish press had been suspended, by a single stroke of the pen and no Yiddish newspaper was permitted to appear. In Warsaw, Vilna, and Odessa, eleven publications were closed, of which the daily *Haint*, had a circulation of 130,000, *Moment* over 100,000, *Unser Leben*, 20,000, six other publications varying in circulation between 5,000 and 8,000.” “This was done in spite of the fact that the Jewish newspapers from the very beginning of the war never ceased appealing to the Jewish masses to do their duty to Russia.”

Once a prejudiced atmosphere had been created by the Jew-baiting press the turn came for that series of infamous Orders of the Day by the Commander-in-Chief and General Staff which will forever remain as a stain on the honor of the Russian Army. The highest commanders of the Russian Army made cunning use of a prominent factor which helped them greatly in the devilish task of successfully circulating slanders against the Jews.

“The tragedy of the situation consisted in the fact that in appearance, language, and habits, the Galician Jew closely resembled and in several respects are entirely the same as the Jews of Poland.”

The natural hostility of the Galician (Austrian) Jews towards the Russian enemy of their country was greatly enhanced by the treatment meted out to them by the Russian administration.

“To the anxious inquiries of the Galician Jews as to their ultimate fate the cynical reply was, that by behav-

ing loyally they might expect to be put on an equal footing with the Jews in Russia.

"And this hostility of Jews who were Austrian subjects was summarily charged to the account of the Jews of Russia, an appeal to the ignorance of the Russian masses and soldiers who, of course, are unable to analyze questions of ethnography and politics. As early as January, 1915, a proclamation by the Commander-in-Chief, the Grand Duke Nicholas, was posted in all streets and squares in Lemberg (Galicia) declaring that the progress of the present war has revealed an open hostility to us on the part of the Jewish population in Poland, Galicia, and Bukowina."

Subsequently this proclamation was "telegraphed to all the commanders-in-chief of the military districts of the zone of war and adjoining localities," ordering them "to expel the Jews immediately after the retreat of the enemy and to take hostages from among the most wealthy or those occupying a communal or other public office," with the clause that "for every Jewish spy caught, two hostages shall be hanged."

Thus the first step was made by the highest military authorities on the slippery road of wholesale accusations and of the enforcement of the principle of communal responsibility; "a principle that is abhorrent to the most elementary sense of justice," consisting in the punishment of "absolutely innocent people" for offenses *supposedly* committed by others. Obninsky, member of the first Duma, said, "During the eight months of my stay in Galicia I had numerous occasions to satisfy myself as to the groundlessness of the legend about the prevalence of espionage among the Jews. The number of convictions at the Russian field-courts-martial was insignificant; it hardly reached ten out of a hundred tried." *

This statement was, however, suppressed by the cen-

* The statement was repeated by Paul Miliukoff in the Duma; see below, page 88.

sorship which would not allow the Russian people to be informed as to the real facts.

The example of the Commander-in-Chief was followed by his subordinates. General Bobir issued an order declaring the Russian Jews to be allied with the enemies of Russia on the ground of the articles in the German newspapers; Gen. Ruzsky announced. "There are to be removed immediately all Jews and suspicious persons from localities that are situated near the line of the front and in the region where the troops are concentrated."

After that comes a series of orders revealing discrimination against the Jews in cases where no excuse whatever can be furnished. On the 12th of April, 1915, Gen. Evert issued special regulations which impose severer penalties upon the Jews than upon non-Jews for the commitment of the same crimes.

And on July 7, 1915, pursuant to an order of the Commander-in-Chief, an Order of the Day was issued by Gen. Jakowlow to govern the evacuation of the Warsaw region. According to this order the non-Jewish civil population were to be directed to the nearest points available, the refugees Jews towards the district east of the Volga, within at least something like a 1,000 miles away.

Finally an attempt is made to stigmatize Jewish soldiers who were risking their lives in the same trenches with the others. This is done notwithstanding the fact that "up to that time no complaints whatever were ever received from any part of the army whatsoever, against the Jewish soldiers" and that "nothing but good reports were ever heard from commanders of regiments, brigades and divisions."

At a time (May, 1915), when the Russian nation was overcome by grave alarm, when on the one hand the enemy was gaining ground in the Baltic provinces, and on the other hand the attack in Galicia by the Germans was started, in those terrible days the Gen-

СБЯЗАТЕЛЬНОЕ ПОСТАНОВЛЕНИЕ.

На основании п. 7 ст. 415 положения о полевомъ управленіи войскъ въ военное время, объявляю, что, въ виду чрезвычайно увеличившихся за послѣднее время въ районѣ арміи случаевъ мошенничества и обмановъ со стороны евреевъ, направленныхъ во вредъ войскамъ, я, на основаніи ст. 419 положенія о полевомъ управленіи войскъ по редакціи, **ВЫСОЧАЙШЕ** утвержденной въ 29 день декабрія 1914 года, усиливаю временно строгость наказаній, положенныхъ закономъ за мошенничество и признаываю на будущее время за всякаго рода похищенія, посредствомъ обмана, чужихъ вещей, денегъ ~~или иного движимаго имущества~~, предусмотрѣнныя ~~173~~ ^{176 ст.} устава о наказаніяхъ, налагаемыхъ мировыми ~~судьями~~, въ ~~такихъ~~ случаяхъ, когда обвиняемыми явля-
~~ются~~ ^{ются} евреи, а потерпѣвшими—части войскъ или отдѣль-
ныя воинскія чины, подвергать виновныхъ въ учиненіи обмановъ и мошенничествъ наказаніямъ, установлен-
нымъ ст. 1666 Улож. о Наказ., совершенно независимо отъ суммы, похищенной черезъ таковое преступное дѣяніе.

Командующій арміей,

Эвертъ

генераль-отъ-инфантеріи ЭВЕРТЪ

80-го марта 1915 года.

eral Staff decided to collect statistics about the conduct of the Jewish soldiers. But the desired character of the information looked for was determined in advance by the Order of the Day, of May 10. Information was demanded with regard to:

“3. The circumstances of the surrender of Jewish privates as prisoners of war, and 4. “Cases of treason against duty and oath.”

This inquiry was intended to furnish material for a government reply to the severe criticism of its policies by liberal Russia and to the expected interpellations in the Duma (which was to renew its session on August 1, 1915). It brought, evidently, no desirable results. The Government never made any reply in the press or in the Duma to all the indictments by the Opposition and the Duma committee found against the Government. But such inquiry independent of the results, could not fail, of course, to arouse among the men in the ranks suspicion and distrust against their Jewish comrades in arms.

As a climax of this infamous campaign came the Kuzhi libel and the expulsions from Kurland and Kovno. The Kuzhi slander which appeared first in the official military organ (May 10, 1915) was subsequently published broadcast on the Government Bulletin Boards, and by employing illegal * compulsory measures the censorships made the press reproduce it all over the country. The official communication stated that “prior to the arrival of the Russian detachment, the Jews of Kuzhi a village in Kurland, had concealed Germans in many of the cellars and at a signal given by a shot they set Kuzhi on fire from all sides. This incident, evinced shocking treachery against our forces by a certain part of the local population particularly the Jews.”

A thorough investigation by members of the Duma brought out the fact, however, that “when, according to the report in the *Nash Viestnik* the enemy detachments

* See below, page 25.

were attacking Kuzhi there were no Jews in it. All the Jewish houses were destroyed by fire."

Of course, no Jews from Kuzhi were brought to trial for the alleged treasonable acts.

The expulsions, formerly local in their character were now, in the middle of May, 1915, extended into wholesale evictions of Jews from entire provinces. All at once "each and every Jew" is ordered expelled by the Commander-in-Chief from the Governments of Kovno, Kurland and part of Grodno. The date limit for their departure was set for the 18th of May. After that date, the orders warn "Jews found sojourning to the west of the said line will be punished in accordance with martial law," and "the police officials failing to take effective measures for the enforcement of the said order will be removed from office and indicted." Thus within a maximum of from three to seven days from the date of the issue of the orders by the corresponding Commanders-in-Chief, all Jews inhabiting this region were to be exiled.

"The time really given for removal varied from 24 hours, as in Kukiyn, and in Tsabelnja; on occasions even less than 24 hours were allowed." Mostly "they were deprived of the possibility of taking along their inventories, many being obliged to travel on foot. The orders of expulsions affected all Jews with no exceptions whatsoever. There were deported wounded soldiers who has just returned from the battle front, some wearing the cross of St. George." There were exiled "the wives, children and parents of those fighting at the front, aged men, some 80 years old, and new born babes; entire asylums of helpless cripples and insane and sheltering houses for infants and orphans were banished en masse." Together with those expelled on previous occasions, "all told about a half million people have been doomed to a state of beggary and vagabondage."

As for the character of the expelled "criminals" a few statistics taken at random may be illustrating. "Out

of 2,357 of the expelled found in Poltava, there were 1,619 women, children, old men, and incapacitated, including 32 nursing infants, 144 children and one to three years of age, 16 persons afflicted with grave diseases; 17 dumb, blind cripples and insane and 6 wounded soldiers." Another investigation of "139 exile families numbering 539 persons, who have come to the Province of Chernigoff from the Province of Kovno proved that 85 members of those families had gone to war. On the average, every ten families of the expelled furnished 7 men to the army."

These expelled "criminals" were allowed "no freedom of movement." They were forwarded under a bill of lading as freight exclusively into the Pale of Settlement and only into those parts which are far from the theatre of war on the left shore of the Dnieper," in the Governments of Ekaterinoslav and Chernigov, a region entirely foreign to them. The way was an endless one, the journey from the province of Kovno to the province of Poltava took eight weeks. Then there were cases in which the governors "refused outright to take in the Jews at all." In Vilna a whole trainload of Jews was stalled for four days in the Novo-Wilejsk station. Those were Jews who had been sent from the government of Kovno to the Government of Poltava, but the governor there would not receive them and sent them back to Kovno whence they were again reshipped to Poltava "Children suffering from scarlet fever and measles and carried in heated freight cars, *teplushkis*, persons of the age of over a 100 years dying while en-route, women in childbirth right near the dead"—all that, however, cruel, might be considered as the natural inevitable fate of the expelled. But there was something more, something that makes one shudder with indignation, that compels from the sympathetic mind the conclusion that "the expulsion of the Jews, however, during the month of May, was a heartless, unreasonable absurdity," for "they were transported like criminals; they were not permitted out of the railroad

JEWISH EXILES ON A RUSSIAN HIGHWAY



Courtesy London "Jewish World."

One of the many pathetic scenes which are, unfortunately only too common on the highways of Russia in these days, showing Russo-Jewish families who have been expelled from their homes resting on a roadside in Russia undecided which way to turn or what to do.

stations to obtain drinking water, deliveries of food were prohibited, physicians were not admitted. The seriously ill were not allowed to be removed on the way." Moreover, "when an accident occurred on the way and a six year old child was killed, the parents were not allowed to bury the child."

"By the end of May, 1915, the expulsions gradually depopulated all the chief Jewish centres in 14 Russian and Polish provinces and the larger part of Galicia. The number of Jewish fugitives for whom the Jewish Relief Committees of Petrograd, Moscow, Kieff, and Odessa were then making provision was 526,000."

"But the tragedy of this compulsory migration is not at an end. At the present moment, (middle of June), there are tens and hundreds of thousands of people adrift in cattle cars, far from their native provinces, deprived of shelter, living on charity. For weeks they were kept in cars on the side tracks. The local population hiss at them with cries 'spy' and 'treacherous Jews.' The people can find no other explanation for this scene."

"It is estimated that of the refugees now (November, 1915) wandering helplessly in the provinces east and south-east of Warsaw nearly a million and a half are Jews."

The enforced migration of the Jews brought about some noteworthy results which came to be regarded by sympathetic, but misinformed outsiders as important concessions to the Russian Jews. Unfortunately the facts in the case do not support this optimistic contention. True to their policy of expelling the Jews not only from the immediate war zone but from far behind the lines the Russian military authorities were presently compelled to violate the narrow limits of the Jewish Ghetto in Russia. At the beginning of autumn, 1915, the major part of the Jewish Pale of Settlement (Poland and Lithuania) was occupied by the Germans

and the remainder was to a large extent the zone of military operations. As early as July 7, 1915, General Jakowlow pursuant to an order of the Commander-in-Chief issued an Order of the Day to govern the evacuation of the Warsaw regions; this order instructed the local authorities that "Refugee Jews are to be directed towards the district east of the Volga," i. e., to provinces outside the Pale of Settlement. Thus in the words of the semi-official historian: *

"The expulsion as a matter of fact abolished the notorious Pale of Jewish Settlement and brought about 'temporary' permission for Jews to settle (with certain exceptions) in all Russian cities."

The Council of Ministers on August 4, 1915, had therefore to consider an accomplished fact, namely, that "lately, in connection with the war, the Jews have been leaving, en masse, the theatre of war and have accumulated in some of the interior governments of the Empire."

The influx, however, of multitudes of starving, pauperized, and homeless exiles was bound to weigh down heavily on these provinces. Their inhabitants distressed by the war must now provide for the new-comers. The economic life which is not adapted to such radical changes suffers complete disorganization. Disease follows on the heels of the fugitives. The Council of Ministers, therefore quite naturally came to the conclusion that "the further concentration of these fugitives, whose numbers are growing constantly and considerably, in the limited area (outside of the Pale) now allotted to them is causing dissatisfaction among the local autochtone population and may lead to alarming consequence in the shape of wholesale (mass) disorders," and that "the most suitable way out of the situation that has arisen might be the granting to Jews the right of residence in towns outside the (Jewish)

* See below, page 108.

Pale of Settlement." Thus, "in view of the extraordinary circumstances of the time of war," the Jews were temporarily "pending the general revision in a manner laid down by the law of the laws and regulations in force concerning Jews," granted (August 15, 1915) the right to live outside the Pale of the general Settlement, with the exception "of the capitals and the localities within the jurisdiction of the Ministries of the Imperial Court and of War."

As a measure of temporary relief the extension of the Jewish residence rights was granted for the benefit of those "provinces of the Empire where the Jews have lately been accumulated" by compulsory military expulsions rather than for the benefit of the Jews themselves. As to the latter a special conference of the Ministry of Justice held two months later on the admittance of the Jews to the bar, divides the Empire into Court districts of the Pale, into those outside the Pale, and those embracing provinces both inside and outside of it *—this all as in the good old times, as if the Pale regulations have in no way been changed.

The unlimited discretion left by the Russian law to the local official with regard to all domiciliary rights of the Jews, practically made the circular temporarily extending the boundaries of the Pale, non-effective in the greater and most important provinces outside of the Pale. Siberia, Caucasus, Transcaspian region, and many specific cities and localities (such as Kieff) were barred to the Jews by the local authorities, not to mention the Cossack Territories and the two capitals (Petrograd and Moscow) excluded from the concession by the original circular.

Similar was the fate of another "concession" granted the Jews as a logical inference of the abolition of the Pale. The Russian laws recognize a special class of privileged Jews who enjoy temporary and conditional residence rights outside of the Pale during the time

* See Part II, page 109.

they are engaged in a legally authorized and specified trade (artisans, prostitutes, etc.). In reference to these privileged Jews, the Russian Penal Code contains an Article 1,171, prohibiting them from engaging in any other trade except the one expressly sanctioned. The prescribed penalty is expulsion into the Pale and the confiscation of property. How far the Russian Courts were willing to go in the application of this article is shown by the typical case of the blacksmith, Pliner. This respectable artisan was punished (March, 1915) to the full extent of the law for the selling the "non-kosher" hind quarter of a calf to his Gentile neighbors, and this at a time when "two of his sons and two of his sons-in-law were at the front and fighting in advance positions." (See page 113.)

The climax of anti-Jewish policy was attained when the military authorities proceeded to take hostages from Russia's own Jewish subjects. "Note, such hostages were taken from among the most wealthy and from those who are held in great respect even by the authorities; at times hostages were recruited from persons who had during war distinguished themselves by their energetic and self-denying activities for the Russian army." To complete the demoralizing effect, "the taking of hostages was accompanied in some places by an odd kind of bargaining. At first the richest people were designated as hostages; these were then discharged for a certain ransom, and in their stead a second levy was designated; this in turn was discharged for a ransom and a third draft designated." "Even now there are (August, 1915) about 400 such hostages in the prisons of Poltava, Ekaterinoslav, and Mohileff, who are in constant danger of being hanged any moment." In vain was the indignant exclamation of the leader of the Peasant Party in the Duma: "I ask you, by what law of the Russian Empire are people cast into prison solely because they command respect? By what law is it permitted to try and punish absolutely innocent people for offenses committed by others?" The military author-

ities went as far as to demand that the Jews "agree voluntarily to furnish hostages from among the rabbis and other respectable people." Only upon this condition would be authorities allow Jewish fugitives to return to their former habitations. With dismay and disdain the Russian Jews rejected the bargain!

"This monstrous condition exacted by the authorities from their own subjects, the Jewish population does not accept. It chooses exile and death from starvation rather than accede to a demand which is a stigma on its civic and national honor."

So runs the tale of oppression as told in official Russian documents and in authoritative press records which have passed the rigid military censorship.

In justice to the Russian people it should be pointed out that it has had no part in this chronicle of persecution and oppression. By every channel of communication Russian public opinion expressed its abhorrence of the militant anti-semitism of the government. In the Duma and Council of Empire, the representatives of Labor (Chkheidze, Skobelev), of the peasants (Dzubinsky, Sukhanoff), of Liberal Russia (Prof. Miliukoff), of Conservative Russia (Baron Rosen), all bitterly denounced the "medieval treatment of the Jewish population of Russia." The Duma as a whole, went on record as firmly opposed to the anti-Jewish policies of the Government. An interpellation by the United Opposition was sustained by the following resolution of the Duma Committee.

"1. Orders of military authorities cannot form the subject of an interpellation in Duma, but the carrying in effect of such orders under the conditions described is absolutely illegal.

"2. Compulsion applied to newspapers, in the matter of publishing the Official communiqué containing the story of Kuzhi was illegal.

3. The authorities in accepting hostages were acting unlawfully."

Municipal and Zemstvo Councils, the Moscow Conference of Mayors, the Congress of Delegates from Cities of Western Siberia, the Conference of Twenty Zemstvos at Yaroslavl, etc., have once and again demanded that equal rights be granted to Jews. The same desire that Russia which "unfortunately has until now been only a step-mother to the Jews may now become a mother to them," animates all the prominent Russian trade and professional organizations. They have considered it absolutely essential for the economic development of the country to grant the Jews full domiciliary rights and free admission to the educational institutions of the country.

The conscience of Russia has also spoken through its great writers.

Leonid Andreyev declares the Jewish restrictions to be "something like an immovable deforming excrescence" on the organism of the Russian state. And Maxim Gorky is even more bitter in his denunciations of the barbarian "zoological" instincts of anti-semitism. In its oppression and mockery of the Jews, the Russian Government stands out before the civilized world as sharply condemned by the overwhelming majority of its own nation.

The question naturally arises: How can the Russian Government pursue such an inhuman policy, in opposition to almost the entire nation? Such a situation would be quite inconceivable in a democracy where the maxim—"the will of the people is the supreme law" has entered into the flesh and blood of the nation. It is however, entirely different in an autocratic country like Russia, where the great masses of the people have for ages been kept in ignorance or have been educated in that singular "indifference to the severe and just demands of life," of which Gorky is so bitterly complaining.

Says Gorky: "When the Russian muzhik (peasant) hears of the persecutions to which the Jews are subjected, he says, with the equanimity of an Easterner: 'The innocent is not prosecuted, is not beaten.'

"He at least might have known that in Holy Russia the innocent is much too often prosecuted and beaten but his ideas of the just and the guilty have been confounded for ages. The sense of injustice is weakly developed in his struggling soul, distorted by long ages of servitude.

"In addition to the people there is one more element—'the mob'—something outside of society, outside of culture, united by the dark sense of hatred to everything that is beyond his intelligence and that is defenseless.

"The Jews are defenseless and this fact is especially perilous under the conditions of Russian life. Dostoyevsky who knew thoroughly the Russian soul pointed out time and again that defenseless only excites a voluptuous tendency to criminality."

The defenseless state of the Russian Jew is the crucial point of the problem. For decades the Jews have been treated as outlaws, as criminals, whose every step or activity must be regulated and watched by the government.* The Russian masses have been gradually educated in the belief "that their enemies are the *in-rodtsi* (foreign races) and first and foremost, the Jews. Then "they are informed that the Jews love to drink the blood of stolen boys" (the Beiliss case). In the course of many pogroms the Russian mob was taught the lesson of violence against the Jews for almost any or no provocation whatever. It is this defenselessness of the Jews that has made them the surest target for the "weapons of sinister demagogism, in defense of the out-lived past;" it is this defenselessness that has made the Jews the easy object of any slander however unreasonable. It is only in respect to this defenseless people that such unheard of measures as wholesale expulsions

* See below, part 1, legal position of Russian Jewry—ante war.

and the taking of hostages could be enforced. The helplessness of the Jewish people, its outlawed position is the ultimate cause of the unprecedented Jewish tragedy during the present war.

In the community of nations as among individuals, there are basic principles, the transgression of which cannot be tolerated by humanity. Can the civilized world possibly endure any longer the transgression of the basic principles of law and justice by the Russian Government?

The United States was always foremost in the stand for the rights of oppressed nationalities. "Every form of religious oppression and discrimination is contrary to the spirit of the American people." Can the United States any longer remain a passive and silent witness to the unprecedented oppression and persecution of a helpless, anguished people by a government condemned by its own subjects?

PART I

LEGAL POSITION OF JEWS IN RUSSIA

Jews—A Foreign Race

The legal position of the Jews in Russia is determined by the "Code of Laws as to Ranks and Classes" (v. IX), Sections 767-816, and by the "Institute of Passports" (v. XIV), Sections 67-75, and by the Appendix to Section 68 of the In. of P., consisting of 23 sections.

Russian law distinguishes three different fundamental estates or classes of the population. (Sec. 1): "Natural inhabitants," "Foreign races" (*inorodtsi*), and "Foreigners." The Jews are included in the second group, "foreign races" (sec. 762). In the same group are included the Samoyedi of the Northern and Siberian Swamps, the Calmouek, and the Kyrgis and other small wandering tribes in Middle Asia and on the Steppes near the Ural Mountains. All these are nomadic tribes. The Jews have nothing in common with them. The Jewish population, mostly urban, is engaged in commerce and industry, and has reached a high degree of cultural development.

All "foreign races," except the Jews, are not subjected to any legal restrictions or disabilities. The Jews are the only "foreign race" of the Russian Empire which is subjected to numerous restrictions and disabilities not applying to any other nationality. Most of the foreign races are heathens. The law, however, does not change its attitude towards the members of these races, when they become converted to Christianity. The legal status of all the "foreign races," excepting the Jews, does not depend upon the religious faith of their members.

Restrictions of Religious Freedom

The case is entirely different with the Jews, the so-called foreign race of the Hebrew faith. Conversion to Christianity at once removes the legal restrictions and disabilities to which the Jew is otherwise subjected, and he acquires all the rights and privileges of the "natural" inhabitants (See. 776).

The legal status of the Jew, or rather his condition of outlawry, is changed, however, only when he is converted to Christianity in one of its religious denominations, recognized by the State, viz.: to the Orthodox Greek Church, the Protestant and the Roman Catholic Churches. Conversion, for instance, to the Anglican Church, Methodists, and so on, would not do the Russian Jews any good, in so far as his legal status is concerned. The law, moreover, gives preference to the Orthodox Greek Church; the conversion to any one of the other two recognized Christian denominations is made dependent on the Minister of Internal Affairs to whom the prospective convert has, in every individual case, to apply for a special permission, whereas no such permission is demanded from the convert to the Orthodox Church. In the absence of such special permission from the Ministry, or of special recognition of the regularity of the rite of conversion coming from the Ministry after the conversion has taken place, the legal status of the convert would not be changed.

The fundamental and other laws guarantee religious freedom to all the subjects, including the Jews. With regard to the last, the guarantees must evidently be interpreted in a limited sense—to wit, in the sense of freedom to officiate according to the rites of their faith, for the legislation as well as the administrative practice of the government, exert an enormous psychological influence upon the will of the Jew, inducing him by the weight of the legal restrictions and oppressions to renounce his faith.

Pale of Settlement

At present the Jews are restricted in their personal, civil and political rights; besides, they are barred from many fields of economic and professional activities. Only a very few of these restrictions are also applied to several of the other nationalities, such as the right to acquire real property or to be eligible for civil service. All the other disabilities are directed exclusively against the Russian subjects of the Hebrew faith.

The Jews are restricted in their right to elect freely a place of domicile and in their freedom of movement from place to place. Their *unconditional and permanent* domicile rights are confined to *towns and cities* of the Jewish Pale of Settlement and of the Kingdom of Poland only.

The Pale of Settlement and Kingdom of Poland, where the Jews are permitted to live in all town settlements, embrace at present the following provinces:

I. Kingdom of Poland:

- 1) Warsaw, 2) Kalish, 3) Kelets, 4) Lomzha, 5) Lublin, 6) Pyatkov, 7) Plotsk, 8) Radom, 9) Suwalk, 10) Siedlets.*†

II. Pale:

- 1) Besarabia, 2) Vilna, 3) Vitebsk, 4) Volinsk, 5) Grodno, 6) Ekaterinoslav, 7) Kiev,* 8) Kovno, 9) Minsk, 10) Moghilev, 11) Podolsk, 12) Poltava, 13) Tavrida, † 14) Kherson,** and 15) Chernigov.

But even in these 25 provinces of the Pale the Jews are permitted to live in cities and towns only. They have no rights of domicile in country places such as villages, health resorts, etc. (Code of Laws, v. IX, article 779.)

*† By the law of June 23, 1912, the Government of Siedlets was abolished and a new government—Kholm—was formed from parts of the former governments of Siedlets and Lomzha.

* Excluding the City of Kiev.

† Excluding the City of Sevastopol.

** Excluding the City of Nikolaiev.

A few *specified* (see below) privileged groups of Jews are, however, permitted to settle and domicile more or less freely outside of the Pale. And by the Imperial Order of August 11, 1904, these groups also were granted the right of domicile in villages and country places of the Pale.

There is, however, no uniformity in the law regulating the domicile rights of the Jews with respect to all the provinces laying outside of the Pale. Side by side with the normal majority of the outside of the Pale governments, the law specifies, on the one hand, a number of provinces from which even those few privileged groups of Jews which enjoy universal and domicile rights are barred. (Such are the territories of the Cossacks, Moscow, Eastern provinces, etc.) On the other hand, there are localities composing a sort of special Pale of Settlement, where residence is allowed to a number of privileged groups of Jews, who have no right of domicile outside of the Pale in general. (Such are the governments of Kurland and Lifland and the cities of Nikolayev, Sevastopol, Kiev, etc.)

Occupational Restrictions

The Jews are restricted in their rights to engage in commerce or industries, such as mining, oil refining and in liquor and wine distilleries.

Educational Restrictions

The Jews are limited in their educational rights; they are admitted into secondary schools and universities only within the limits of a small percentage of the entire school population, and are completely excluded from some universities, such as the Military Medical Academy. In secondary schools of the capitals, five per cent; outside of the Pale, ten per cent, and within the Pale fifteen per cent are admitted, while in the universities, in capitals, three per cent, five per cent from outside of the Pale, and ten per cent from those in the Pale are admitted. *

* See interesting circular of the Minister of Public Education, p. 117.

Discrimination in Military Service

The Jews are subjected to stricter regulations with respect to military service, and contribute proportionately a greater number of recruits than the rest of the population. Besides, they are subjected to a kind of reciprocal family responsibility for arrears. "The family of a Jew who evades military service is subjected to a fine of Three Hundred Rubles." This fine has in numberless cases been collected where there indeed was no evasion at all; in many cases a family was fined because a recruit came late to roll-call, though the recruit may have been enrolled in the ranks; fines were imposed in cases when the recruit was confined to a public hospital or asylum, etc.

From the total number of young men of the age of twenty-one who were entered on the lists of available recruits, there were, in 1906, 91.07% of Gentiles and 5.52% of Jews; in 1907 there were 91.25% Gentiles and 7.24% Jews. This proportion of prospective Jewish recruits is larger than the proportion of Jews to the total population; the last being only 4.13% according to the census of 1897. This discrepancy unfavorable to the Jews is to be explained by the peculiarities of the Jewish emigration. The Russian administration usually enters Jewish emigrants in the lists of available recruits, thus inflating the contingent of prospective Jewish recruits. But even from this inflated contingent the Jews are furnishing a greater share to the ranks of the army than the rest of the population. Constituting only 5.52% of all the registered prospective recruits in 1906 and only 5.24% of those in 1907, the Jews furnished 6.42% of all the enlisted recruits in 1906, and 6.18% of those enlisted in 1907, whereas the Gentiles, composing 91.07% of all the prospective recruits in 1906 and 91.25% of those in 1907, furnished to the ranks only 89.24% and 89.58% of all the men enlisted in those years correspondingly.

Restrictions to Practice Law

The Jews are limited in their right of being admitted to the *bar*. Jewish advocate assistants are admitted only by special permission in each case of the Minister of Justice. Many years (1899-1904) passed without a single permission being granted. During these years not only was no Jewish assistant advocate admitted to the bar, but no one succeeded even in obtaining the so-called "certificate" allowing assistants independently to practice law in the courts. After 1905 permission admitting Jews to the bar were freely granted, but since 1908 a definite proportion of not over 10% of all the advocates was practically introduced by the ministry.

In 1912 the Senate extended the limitation requiring special permits from the Minister of Justice, not only to full-fledged advocates, but also to advocate assistants.*

Barred from Office of Notrary Public

The Jews are barred from administrative regulations since the eighties from being notary publics; moreover, they are barred even from being employed in the offices of notary publics as clerks, stenographers, etc.

Barred from Public and Civil Service

The Jew, with the exception of physicians and persons having a doctor's degree admitting them to a few special classes of public service, is not admitted to civil, municipal, zemstvo or other kind of public service.

Restrictions of Jury Privileges

Jews are admitted to serve on juries. Only a small percentage proportion of Jews to the entire population of the Judicial District within the Pale are admitted to serve on juries. No Jews can serve as Chairmen or Elders of the jury. Jewish jurors are not permitted to sit in cases involving offences against religion or in-

* See below p. 109.

volving the violation of the rules of the Christian Church.

Barred from Municipal and County Councils

Since 1890 Jews are debarred from participating in the electoral meetings and conventions for the election of Zemstvo delegates, and are not eligible as such; they are totally excluded from any participation in the County Councils (*Zemstvos*). In municipal self-government the participation of Jews is also limited and conditioned upon the humiliating good-will of the administration. Outside the Pale the Jews are totally excluded from municipal self-government. In the cities of the Pale Jewish aldermen are not elected by the voting burghers, but are appointed by the administration from special lists of Jewish citizens. The number of Jewish aldermen in the city council to be appointed depends upon the discretion of the administration; it must not, however, exceed ten per cent of the total number of aldermen of the city council. Such Jewish aldermen are not eligible to any of the executive bodies of the municipal councils. Exclusion of the Jews, who make up the largest part of the commercial and industrial population of the Pale, resulted not only in hardships to the Jews, but also injured the municipalities in general.

Privileged Jews

Most of these disabilities and legal restrictions are extended to all Jews independently of their rank or class, or of their social status and education. Only a few privileged categories of Jews are partly exempted from the most onerous of the Jewish disabilities. To these privileged groups of the Russian Jewry belong: 1) persons with a university education; 2) those army invalids who have served, under the old recruiting regulation, over 25 years; 3) members of the medical profession; 4) Councils of Commerce or of Manufacture; 5) merchants of the first guild; 6) artisans, and 7) Jewish women who have become prostitutes.

Domicile Rights of Privileged Jews

Only the first two groups are accorded *unconditional* permanent domicile rights outside of the Pale; only these groups and a very limited number of others are permitted to live outside of the Pale independently of their occupation, trade or vocation. In all, the number of Jews enjoying this *unconditional* domicile right outside of the Pale does not exceed 50 to 60 thousand. The domicile right of all the other groups is *conditional*, dependent upon the occupation, trade or vocation they are engaged in. They must engage exclusively in these trades, occupations or vocations. Altogether the number of Jews living outside of the Pale amounts to only 6% of the total Jewish population in Russia.

Freedom of Movement Restricted

There are extraordinary restrictions in force limiting the *right of movement* of Jewish merchants or Jewish commercial travelers from the Pale of Settlement. The law accords them the right to visit in their business travels only cities and towns; they are not permitted to stop over at railroad stations or villages and country places. Besides, the law grants the Jewish merchant or the Jewish commercial traveler the right every year to visit cities and towns outside the Pale for periods of time not exceeding a total of three to six months, dependent upon the guild, first or second, to which the given commercial traveler belongs. The law also puts on the commercial traveler the burden of proving that he is really going for the sole purpose of buying goods and not selling, or for any other purpose, and that he had not yet exhausted his allowed three or six months' term. The lowest police official may put the documents of any Jewish commercial traveler outside of the Pale under suspicion, and the least omission or inaccuracy of the documents, even a simple suspicion of such an inaccuracy, will immediately bring forth the stamp with the red inscription reading, "To leave within twenty-four

hours." This stamp on the passport obliges the Jewish commercial traveler immediately to go back to the Pale, no stops whatever being allowed him, as otherwise he may be arrested and dispatched to the Pale in company of prisoners and criminals, escorted by guards. Under the best circumstances, his passport would be taken away and he would be given a special pass permitting him to travel directly to the Pale, as a man under police surveillance.

Under Police Surveillance

As soon as a Jew steps over the frontier of a town or city in the Pale, or dares trespass the frontier of the Pale, he is immediately subjected to the surveillance of the police and other departments of the government, who are always and everywhere probing his right of domicile, of securing licenses to engage in industrial or commercial occupations, of making contracts, of mortgaging, renting real property, of building factories or mills, of trading with the given kind of goods, etc. There is no step, no act which the Jew, outside of the city or town in the Pale or outside of the Pale, can undertake without formal permission of the police; the laws in all these respects are so indefinite and are crowded by so many frequent contradictory interpretations and elucidations of the Senate, that the field for the discretion of the police is almost limitless. In the few cases, when no formal permission by the authorities is demanded, their silent approval is, however, indispensable. For the least doubt as to the legality of any kind of activity of a Jew outside the town limits of the Pale or outside the Pale, would suffice to deprive that Jew of his domicile right as well as of his right to engage in that special business outside the Pale. These regulations doom the Jews to endless solicitations and sacrifices, which may not, however, make them safe "to-morrow." The refusal to submit to the demands of the petty officials, the anonymous information against a Jew by a com-

petitor, are quite sufficient to result in his being expelled. *

Excepting persons with a university education and a few other privileged groups having unconditional domicile right outside the Pale, all Jews retain their right of domicile and to trade outside the Pale only so long as they continue to be engaged in their specialty (in the case of artisans or medical professions, except physicians) or as long as they perform their services (in the case of commercial employees and domestic servants). The determination of the question whether the particular Jew is indeed continuing in his professional work, or is performing his services, is, of course, left to the discretion of the police.

Rights of Jewish Artisans

All these, almost numberless, burdensome regulations fall especially heavily upon the artisans with their limited means for litigation. And the enjoyment of the domicile rights outside the Pale accorded the artisans by the law is thus practically made prohibitory. As a matter of fact, the number of Jewish artisans who succeed in settling outside of the Pale is rather negligible. According to the last census of 1897, 93.3% of all the Jewish artisans were living within the Pale. As far as is known, this proportion has not changed to any extent in later years, consequently only 6.7% of all Jewish artisans succeeded in overcoming the burdensome regulations, upon which their right of domicile outside of the Pale is conditioned. **

Treated as Criminals

Besides, all persons enjoying by virtue of their occupational status (as artisans, etc.) the right of domicile outside the Pale of Settlement are attached permanently to their place of occupation or service and are com-

* See below, case of Pliner, p. 113.

** This, too, is rather an overestimate, since many old residents of the Provinces outside of the Pale enjoying their domicile right on that basis are included in the number of these 6.7 per cent.

pletely deprived of the right to move about the rest of the Empire. For even a temporary visit to any other locality, though of the same district, a special permission by the local police, the governor, or the Minister of Internal Affairs (dependent upon the purpose or duration of the visit) is demanded. In this respect the legal position of the Jews differs in no detail from the position of criminals and exiles or of persons who are under police surveillance.

Foreign Jews in Russia

Foreign Jews are subjected to the same disabilities as the native Russian Jews (Code of Laws, v. VIII, Sec. 201-208).

Reason of Oppression—Loyalty to Faith

Attempts are frequently made to explain at least some of the numerous legal restrictions and disabilities of the Russian Jews by economic and moral reasons. It is at times alleged that the suppression of the Russian Jews is necessary in order to protect the "natural inhabitants," the Russian masses, from alleged "harmful" economic and moral influences of the Jew. As a matter of fact, the acceptance of Christianity in one of its authorized denominations immediately removes from the Jew all his legal disabilities. Neither the moral character nor the economic activities of the Jew are investigated; the "religious conscience" of the Jew is the sole reason for his oppression. The only question the Russian laws put to the Jew is whether he is willing to renounce his faith for the enjoyment of equal rights. This being answered in the negative, his moral and economic activities are under suspicion; the State declares him "guilty" of loyalty to his faith and consigns him to practically the position of an outlaw.

ADDENDA TO PART I

Extracts from Original Russian Laws Regulating position of Jews Which Were in Force at the Beginning of the War

CODE OF LAWS AS TO RANKS AND CLASSES

Russian Jews Included in Number of Foreign Races

SEC. 7: "Different rights are instituted in the state: (1) for the natural inhabitants, making up the city and country population; (2) for 'foreign races' *inorodtsi*, and (3) for foreigners."

SEC. 762: "To the number of 'foreign races,' *inorodtsi* inhabiting the Russian Empire belong: (1) the foreign races of Siberia; (2) the Samoyeds of the Province of Arkhangelsk; (3) the nomadic foreign races of the Province of Stavropol; (4) the Kalmucks, wandering in the Provinces of Astrakhan and Stavropol; (5) the Kirghiz of the Internal Horde; (6) the foreign races of the territories of Akmolinsk, Lemirechensk, Uralsk, and Turguai; (7) the population of foreign race of the Transcaspian Territory; (8) the Jews."

SEC. 767: "Jews who are Russian subjects are subjected to the general laws in all cases in which there are no special rules enacted concerning the Jews."

Change of Domicile by Jews Permitted Only in Cities and Towns

SEC. 779: Jews within the Pale of their permanent Settlement, as well as everywhere where they are granted permanent domicile, can change domicile from one place to another in accordance with general rules.

Jews Permanently Attached to Villages Where They Lived Before May 3, 1882

“Note 1. By Imperial Order: As a temporary measure,* and until the general revision in the duly prescribed manner of the laws concerning the Jews, they be forbidden to settle anew outside of cities and towns in the governments of their permanent settlement.”

“Note 2. By interpretation of the rules laid down in the Note 1 of this (779) article, be it ordained: (1) Change of residence by Jews from villages where they resided before May 3, 1882, into other villages shall be absolutely forbidden. (2) Jews who, after the 3d of May, 1882, but before the promulgation of the opinion of the Council of State (4924), sanctioned by H. M. December 29, 1887, changed their residence from one village to another, situated within the permanent pale of Jewish Settlement, shall be allowed permanent residence in those villages where they were found by the above-mentioned opinion of the Council of State.”

Renunciation of His Faith Removes All Legal Disabilities From the Jew

SEC. 776: “Jews who have been converted to Christianity may be entered according to their choice into the lists of the city or country Communities on the basis of the general rules. By the acceptance of the Christian Faith they are excluded from their former communities and assessments.”

*This “temporary measure” is in force since 1882 up to the present time with no prospect for change in near future.—Translator.

PART II

Documentary Account of Oppression and Persecution of the Russian Jews during the Present War

CHAPTER I

THE JEWS AND THE WAR

(REPORT BY CENTRAL COMMITTEE OF THE PARTY OF PEOPLE'S FREEDOM (CONSTITUTIONAL DEMOCRATS) ON THE JEWISH QUESTION IN RUSSIA, READ AT THE JOINT CONFERENCE OF THE DELEGATES OF THE PARTY AND OF THE CONSTITUTIONAL DEMOCRATIC MEMBERS IN THE DUMA HELD IN PETROGRAD ON JUNE 19-21, 1915.

(The Constitutional Democrats, or Kadets, Represent the Progressive Element in the Russian Parliament. Their Leader, Professor Milyukoff, Visited the United States Some Years Ago.)

Patriotic Fervor of Jews

In connection with the events of the war-time, the Jewish question, among other national problems, has assumed a special aspect. Unlike the Polish or Ukrainian question, the Jewish question is not depended on great administrative or political reforms; here are no problems the solution of which depends on territorial acquisition and on the international situation in the future, as in the case of the Armenian question. The Jewish problem, as well as many others, remains our internal question.

The beginning of the war was marked by a great outburst of patriotic enthusiasm among the Jews all over the Empire. Mobilization among the Jewish population was completed practically without arrears. The

newspapers recorded striking numbers of Jewish volunteers. Among these were students of foreign universities who, by the established Government maximum for Jews, were deprived of the right to study in Russia. A considerable number of the youth who were studying abroad entered the Allied armies. The press reproduced petitions from Jews, who were enrolled in the subsidiary services, requesting to be transferred to the fighting units. In the capitals and other cities many inspiring Jewish patriotic manifestations took place, having the character of a natural expression of the people's enthusiasm.

Jewish Communities Organizing Relief

At the same time in almost all the Jewish communities within the Pale of Settlement, as well as outside of the Pale, hospitals for wounded soldiers, without distinction of nationality or religious denomination, were being equipped. The establishment of hospitals and the organization of relief for the war sufferers was often accompanied by the publication of addresses to the population, explaining the relation of the Jews to the war. It would be of interest to bring here one of these documents—an address coming from the very centre of the Pale of Settlement, from the old Jewish community of Vilna.

" . . . Our dear fatherland, the great Russia, is challenged to a terrible, bloody war; there approaches a bitter struggle for the integrity and greatness of Russia. Our brethren in the Jewish faith all over the Russian Empire have already responded to their duty of citizenship, and many have voluntarily entered the army to be sent to the front. But present conditions demand from us, who have not the opportunity and fortune to fight for the glory of their fatherland with arms, an adequate sacrifice. A holy duty lies with us with regard to those who have left their families, who are defending our fatherland and ourselves from the enemy with their life and blood. We, the representatives of the Jewish community of the city of Vilna, the oldest in Russia, situated at the very centre of the theatre of the present events, take the liberty to appeal strongly to our brethren in faith immediately to undertake the organization for the relief of the wounded and their families."

No Persecution or Oppression Could Estrange Jews From Their Fatherland

This attitude on the part of the Jews to the war is reflected to the Jewish press. The organ of the Russian Jews, *New Voskhod*, wrote in its issue of August 6, 1915, following the declaration of war:

"We were born and grew up in Russia; here rest the remains of our fathers. We, Russian Jews, are tied by unbreakable ties to Russia, and the memory of it is dearly cherished by our brethren, who, by will of fate, have been driven across the ocean. The bearers of the ideals of our fathers, the nucleus of the world's Jewry, we Russian Jews are at the same time inseparably allied with our mother country where we have been living for centuries and from which there is no power that can separate us—neither prosecution nor oppression. In this historical moment, when our fatherland is threatened by foreign invasion, when brute force has armed itself against the great ideals of humanity, the Russian Jewry will manfully step forward to the battlefield and do its sacred duty. . . ."

Attitude of Jews Explained

In its succeeding issue, this journal comes nearer the question:

"To many, the striking contrast between our recent past, which should have determined our present attitude, and the attitude which we see to-day, seems to be unexpected and unreasonable. Notwithstanding all the terrors of yesterday, we Jews to-day treasure the unity and indivisibility of Russia and her position as a great power in the world. . . . Being mainly a people of burgher class, which accomplishes the economically important social function in the state, of binding together and animating all the living cells of the state organism, all of its parts and divisions; a people of merchants, manufacturers, bankers, traveling salesmen, brokers, artisans and laborers—the Jews comprehend more deeply and thoroughly the idea of universal cohesion, of common unity, of the indivisibility of Russia, than those to whom these ideas are only abstract, if sublime, conceptions. We know that those provinces of our Empire that are coveted by the enemies of the Empire, Austria and Germany, will, without question, have lost their social and economic importance, if the predatory plans of the enemy states were to succeed.

Faith in Russia's Regeneration

"Without the free Baltic ports; without free transit through Poland, it would be impossible for Russia to remain on the road of progress, to exist as a modern state.

Riga, Bialostok, Warsaw, Lodz, would lose their present *raison d'être*, would perish if they were to be separated from the Empire. Like the Poles, the Armenians, we treasure that nucleus of seven millions of Jews, which has grown up in the course of centuries in Russia. From a purely Jewish national view point, it would be a disaster, if this kernel were to be divided into several parts. The Jewish masses trust that Russia, victorious through the enthusiasm of the people and the universal aspiration towards victory, will emerge from the threatening danger regenerated. The Jews trust that with the vanishing of the mailed fist, that creation of Germany, the spirit of this fighting militarism that swallows up the prime of the nation, will also be destroyed, and that humanity will come nearer to the ideals of the olden prophets. . . ."

The best evidence that the *New Voskhod* reflects the spirit of the Jewish masses and intellectuals is the fact that in the time of the war the journal increased its circulation more than fourfold (from 3,000 to 13,500). With this circulation, the *New Voskhod* was suspended by the authorities for its harmful influences. It should be added that the same point of view is defended and elaborated by the Zionist *Razsvyet* and by all the Yiddish newspapers published in Vilna, Warsaw and Odessa, and having a circulation of hundreds of thousands of copies.

Jewish Declaration in the Duma

The sentiments of Jewish society were summarized in the declaration read at the historic session of the Duma on August 8, 1914, by a member of our party, N. Freedman. The statement asserts that "in the great enthusiasm which has seized upon the nation and peoples of Russia, the Jews are marching to the battlefield shoulder to shoulder with all the peoples of Russia; there are no forces that can tear the Jews away from their fatherland to which they are bound by ties centuries old."

Government Hints Maltreatment of Jews to be Continued

Under the first impression of all these facts, the reactionary elements and the reactionary press at first seemed to have shifted their bearings. There was mani-

fested, among some of the representatives of the groups of the Right, a strange and suspicious tendency to reforms. The *Novoye Vremya* spoke of unity and a desire to forget past injustice. *But from the Government came the hint that everything was to remain as of old.* It was indeed impossible not to see such a warning in the attitude of the government towards the domiciliary rights of the families of the Jewish reservists called to the colors; in the relegation into the Pale of Settlement of wounded Jewish soldiers; in the refusal of permission to the relatives of wounded soldiers located outside of the Pale, to visit their wounded. It began to be asserted that the Jews were trading on their patriotism and for the immediate grant of equal rights. Notwithstanding the absurdity of this theory, notwithstanding the fact that in none of the Jewish declarations was there any mention of the demand for equal rights, and that on the contrary, they always emphasized that in the moment of imminent danger it is necessary to forget the old and to leave all the hopes for the future, this legend, in various forms, was repeated in the "patriotic" press until another, a much more dangerous weapon, was found: the accusation of wholesale treachery. This second phase led directly to a third, the one still in being: governmental repression of the Jewish population.

Baseless Accusations in Wholesale Treachery

Cases of treachery will, of course, be found among a frontier population. But it is intolerable, with respect to such cases, that one should launch forth a statement based on unverified data. The bulk of such cases are tried by court martial. No records of the proceedings are kept to tell us whether the convictions were based on facts or on rumors and legends, fed by olden prejudices. While there exists even the smallest degree of prejudice against an entire group of the population, this evil rises to particular importance. Every case of punishment for espionage in itself becomes a new pretext of whole-

sale accusations, convincing to those who themselves believe in the legend of wholesale treachery, or who desire to use it for their own political purposes.

Accusations Break Down After Slightest Investigation

The only courts which administer justice in the war zone with something of the general guarantees of judicial procedure, and, what is most important, which keep records of their proceedings, are the so-called Corps' Courts (the Military District Courts of peace time). We succeeded in getting the indictments of nine cases that were tried in these courts, counsel for the defense participating in such trials. A detailed consideration of these cases naturally is outside of the scope of this report, but some of the general features of this analysis are indispensable. Out of these nine cases, only eight are related to the so-called Jewish espionage; the ninth stands by itself. Six out of the eight cases in which Jews were brought to trial resulted in the acquittal of the accused. In all these cases, the accusations when put to the test of scrutiny, however elementary, completely broke down; in one case the prosecutor even refused to proceed.

Only Two Convictions; But Not for Espionage

Only two cases resulted in the conviction of the accused. In one case, a seventeen-year-old boy, Katz, was accused of showing to four German soldiers the route. According to the indictment, none of the witnesses heard the conversation of Katz with the Germans; they only saw Katz point with his hand in the direction taken by the Russian soldiers. Katz was found guilty, and was convicted to fifteen years of hard labor; he has since appealed his case to a higher court. The indicted in the other case were a Jew, Guer-shanovich, sixty years old, and Bartlish, a non-Jew, the first being accused of accepting the office of burgomaster from the Germans, and the second, of that of vice-burgo-

master, while the Germans were in possession of the place. Both men conveyed provisions to the Germans during their stay in town. Guershanovich explained that he was compelled to act as he did by the threats of the Germans, in whose power he found himself. He was sentenced to six years of hard labor.

Provocation by Government Agents—Source of Wholesale Treachery Legend

The last case, the ninth, is of particular interest. The accused were not Jews, but agents of the counter-reconnoitering detachment [secret service] of the twelfth army headquarters, Stephan Dereshak, Stephan Mickovich and Nicholas Chupanyuk. . . . The voluminous indictment spread over twenty-three typewritten pages, narrates the circumstances of this case. The agent of the counter-reconnoitering detachment, Dereshak, on February 26, made a search in the Cinematograph theatre "Koreya" in the city of Lomzha, and discovered there two table telephones of German make. He further found in the rooms of the operator of the said Cinematograph, Aaron Bengueldorf, a Jew, some electrical appliances and 191 rubles; all these objects were taken to headquarters.

"The said case of Bengueldorf," continues the indictment, "was forwarded, on March 9, 1915, to the Chief of the Gendarmes of the district of Lomzha, Captain Beletsky, for the purpose of making an investigation, in accordance with the rules of war. *The investigation by this officer established signs of apparent provocation by the agents of the counter-reconnoitering company and by the peasant, Nicholas Chupanyuk. It has also been shown that the same agents extorted money from relatives of Bengueldorf, promising to set him free.* By an order of the General Headquarters of the twelfth army, the case was then turned over to the military prosecutor of the Corps of Guards for a preliminary inquiry against the agents, Stephan Dereshak, Stephan

Mickevich, Drood and Nicholas Chupanyuk, in accordance with sections 377 and 378 of the Criminal Code of Laws.”

The case was tried in Lomzha on April 14-15, 1915, *and by the verdict of the Corps' Court, the agent Dere-shak was sentenced to six years of penal servitude.* Chupanyuk, as a minor, was sentenced to three months' imprisonment for complicity, and Mickevich was acquitted.

Calumnies Against Jews to Avert Suspicion From “Myassoyedoffs”

This last case brings us to the question of the source of the wholesale accusations of espionage against the Jews. A Russian writer has recently remarked that most of the slanderous accusations against the Jews, including, most fatal of all, the accusation of treason in Russia, originated in the region where Colonel Myasayedoff* was then active. The provocative policy of the secret-service, substantiated by the above verdict of the military court, makes this observation of special weight. It is becoming clear in whose interests and for the achievement of what purposes it was deemed necessary to circulate in Russian society and throughout the ranks of the army, calumnies against that part of the population which so easily lent itself to suspicion. *This was done in order to have suspicion averted from these who were the real cause of German omniscience as to our military plans.*

Jew Between Upper and Nether Milestone in Poland Economic Boycott

Poland was the chief theatre of our military operations especially so at the beginning of the war. But in Poland the relations between the Jewish and the Polish

* Col. Myasayedoff was attached to the staff of the Russian armies in the north. He supplied information to the German armies, which was instrumental in the crushing defeat of the Russians by Von Hindenburg. He was tried, found guilty, and hanged.

population have been extremely bitter for some time. The economic boycott of Jewish trade that has been preached for the last several years has awakened, among the different groups of the Polish population, and particularly among the small business men, unwholesome race hatred and religious hostility. In a struggle of such a nature, no weapon is considered too mean, and there was no necessity for special instructions from party leaders, neither did it require a special agitation by the public press. Both of these have, however, been brought into play here and there, where the resentment which had gradually grown up as yet found expression in whispered calumnies against the Jews.

Another factor which contributed to the success of the slander consisted in those special usages of the Jewish inhabitants of Poland which make them appear entirely unlike their Polish country fellow men, as well as unlike their own brethren in the Russian provinces proper. The Polish Jews have conserved their medieval apparel; they speak neither Polish nor Russian*, but Yiddish, a language that was created some centuries ago from German roots with an admixture of Hebrew and Slavonic words.

Ignorance of Russian Language

Such conditions brought about a natural hostility between the Jewish population and the incoming Russian troops, to many of whom this was, perhaps, the first sight of a people of such a character. It was almost inevitable that suspicion should grow up in the ranks of the army against a people speaking a language that closely resembles German, and that the enemy could understand, while the army of their own country, the Russian soldiers, could not. Suspicion gave rise to violence, and the terror-stricken Jews naturally sought to hide or escape before the approach of armed men, who were in a hostile frame of mind, and who could not even

* Ignorance of Russian language is caused by the educational restriction which the Jews are submitted. See page 32.

understand the explanations of a frightened people. This, in turn, fomented distrust and created a prejudiced atmosphere ready to give credence to any absurdity whatsoever. Tales which would have been considered as impossibilities with respect to any one else, became likely when told about these swarthy, strangely dressed people, who were trying to escape, and who could not speak, or who spoke a language which the enemy could understand, but we, Russians, could not.

Military Requisitions by Invading Germans Cause Scarcity for Russian Armies Coming After

These circumstances were, of course, seized upon by the hostile elements of the local population. To this should be added, as a third cause, the very nature of the military activities in Poland during the first few weeks of the war. It happened that in many localities the Germans appeared on the ground before our forces. Our troops, pushing out the Germans, arrived in these towns only after the inhabitants had been stripped of practically everything by German military requisitions and plunderings. The demands of our troops addressed to the Jews, the only shopkeepers in these localities, could not be satisfied. The shops were sacked and closed down. But this sufficed for the allegation that the Jews had voluntarily delivered everything to the Germans, and were hiding everything from our troops. It is easy to imagine the impression made upon our troops by such tales, circulated by the hostile element of the local population, more akin to the Russian troops both in culture and language than the Jews. Especially fatal this impression must have been in localities where there was not one Jew speaking sufficient Russian to explain the matter.

Fertile Ground for Stories and Fables

Is it surprising that in such an atmosphere there grew up fables of gold being sent in coffins to the

Germans; of a Jew on a white horse passing in front of our troops giving signals; of windmills brought into movement by human hands, of telephones laid for tens of miles by means of thick wires and cords. Particularly characteristic are the cases where the Jews were accused of maintaining telephone communication with the enemy. These accusations have, more than once, caused death punishment to be inflicted on the very poorest, and, as far as external marks of culture are considered, the most backward elements of the Jewish population—namely, the so-called attendants of the synagogue. These accusations grew up in consequence of an old Jewish rite, not known to the prosecutors. According to this rite, the synagogues of small localities must have a long wire or cord in order to enclose the Jewish settlement for the Sabbath. One such case was related by the member of the first Duma, Z. G. Frankel. He succeeded in saving a man who was being led to trial and execution, and who, as his accuser said, was caught “with the goods.” Owing to the energetic representations made by Frankel, on the basis of information from an enemy-Jew, who knew of the rite, and after an inquiry among the local policemen, it was shown that this rite is really kept, and “the goods,” i. e., the long, thick wire, is weekly spread on Fridays by the aged attendant of the synagogue.

Prominent among the conditions which contributed to the circulation of slander were the relations between our troops and the Jewish population of Galicia [an Austrian possession], after it was occupied by our army. The tragedy of the situation consisted in the fact that the appearance, the language and the usages of the Galician Jews resemble very much, and in several respects are entirely the same as, those of the Polish Jews. In consequence, everything that our army had to endure from the Jewish population of Austrian Galicia was charged to the account of the Jewish population of Russian Poland.

Natural Hostility of Austrian Jews Charged to Russian Jewry

That the Jewish population of Austria, including that of Galicia, was not favorably disposed towards Russia is an indubitable fact. This hostility, one might think, would become milder in time, in view of the undoubted advantages, which the annexation of Galicia to our country would bring to the Galician Jews, but at that time the attitude was only natural. It is explained not only by the loyalty of the Galician Jews, as subjects of Austria, to their duty as citizens, but also by their fear of being excluded from the enjoyment of their present full rights of citizenship when brought under Russian allegiance and leveled in their rights with the rest of the Russian Jews. Of course there cannot be the least doubt that the rumors, circulated by the reactionaries, to the effect that the Galician Jews would not only be deprived of their political and civil rights, but that their landed property would be confiscated, strengthened this hostile sentiment and the desire to serve their own army and their own government to the injury of ours.*

Over 400,000 Jews in the Russian Army

Fed from all the enumerated sources, the slander against the Jews was, however, at the beginning, circulated by means which seemingly it was yet possible to combat. It seemed improbable that the highest Commanding Persons in the Army should not understand the evil this worked upon the army itself, for there were about 300,000 or 400,000 Jews in the Russian ranks.† It was therefore reasonable to hope that appeals addressed by prominent Jewish members of the community and members of the Duma to the military and civil authorities would bring the desired result, and that words of explanation and of assurance would be addressed to the army. It is a pity that in this hope we were disappointed.

* See below, page 75.

† Later this number rose to 500,000 according to the most moderate estimates.

Commanding Officers Disseminate Slanders

On the contrary, the commanding officers, who are drawn from among the highest and most responsible circles—men who, as members of the Council of the United Nobility, were the initiators and authors of the the legislative project barring Jews from the army—these commanding officers allowed themselves to be influenced by the legend of wholesale Jewish treason, and began energetically to disseminate and strengthen this belief in the ranks of the army.

ANTI-JEWISH MILITARY ORDERS

Forbidding Jews to Remain in War Zone

About the middle of January, 1915, there was posted in all the streets and squares of the city of Lemberg and other Galician cities a proclamation reading as follows:

"The progress of the present war has revealed an open hostility to us on the part of the Jewish population of Poland, Galicia* and Bukowina."

Here the population of Poland is already being considered by the authorities from the same point of view as the Jews of Galicia and Bukowina (Austrian possessions). The proclamation goes on to say:

Two Hostages to be Hanged for Every One Found Guilty

"To rid our troops from espionage, which the Jews are practising, all over the front, the Commander-in-Chief has forbidden them to remain in the zone of war and . . . in order to detect the Jewish spies, has given orders for taking hostages who will be punished (by being hanged). . . . For every Jewish spy that shall be caught, two hostages will be responsible."

*As to the baselessness of the accusation about the prevalence of espionage among the Galician Jews see speech in the Duma, page 86.

Inciting Proclamation Telegraphed to All Commanders-in-Chief

This document was subsequently telegraphed to all the commanders-in-chief of the military districts of the zone of war and of adjoining localities. There is in our possession a copy of the circular despatched to the Chiefs of the Districts of the Province of Kholm and to the Chief of Police of the city of Kholm. The circular repeats almost to the letter the above quoted proclamation, making, however, the following changes and additions:

Expulsion From Zone of War and Adjoining Localities

"The Supreme Commander-in-Chief is pleased to order the respective commanders, beginning with that of Bukovina, to expell the Jews immediately after the retreat of the enemy and to take hostages from among the most wealthy or those occupying a communal or other public office. In fulfilment of this command, the Commander-in-Chief has ordered the removal of the Jews into the interior of Russia, into districts no nearer than 200 versts (120 miles) from any of the Staffs of Armies, and to prohibit Jews from entering the zone of expulsion."

The two above-quoted documents were preceded, beginning with September, by a series of sporadic measures of the same kind, undertaken by individual commanders in isolated districts. Wholesale expulsion of the Jews, and of the Jews only, are followed in turn by proclamations and orders, in which there is openly given expression to the opinion of the commanders that the Jews are to be considered as spies.

Sporadic Expulsions Preceding Summary Military Orders

As early as August 11, 1914—i. e., ten days after the declaration of war—the commandant of the village of *Mishenk*, in the province of Lomzha, ordered all the Jews (2,000 people in all) immediately to leave the village. A few days later the Governor of Lomzha per-

mitted them to return, but the commandant would not allow them to come back. Only nine men were given permission to enter the village in order to get the belongings of the expelled. About the middle of August, 1914, the entire Jewish population of *Yanovets*, in the Province of Radom, was expelled. The Jewish population of the village of *Rika*, in the Province of Radom, was expelled twice. On October 6, 1914, by the order of the commandant of the fortress of Ivangorod, the Jewish population of *Nova Alexandria*, Province of Lublin, was expelled in twenty-four hours. In the town of *Prena*, Province of Lublin, the entire Jewish population was expelled on the 11th of October. In *Pyassenno*, province of Warsaw, the Jews were expelled. In *Gorodziansk*, province of Warsaw, the Jews were ordered at eleven o'clock in the morning to evacuate the city before night; altogether 4,000 inhabitants were expelled, including 300 families of reservists. In the middle of December they were allowed to return, but on January 14, 1915, came an order to have them expelled in two days. In the town of *Kernzya* all the population, Jewish and Polish as well, evacuated the place; after two or three days the Poles came back; the Jews, however, were not permitted to return. On the 8th of December, 200 Jews, of the town of *Ilovo*, province of Warsaw, were arrested. On January 9, 170 were discharged, but thirty were retained as hostages. On February 9, the hostages were released, but the population received orders to evacuate the city by 4 P. M.

Jews Declared Allies of Enemies of Russia

On the 7th of December, 1914, an order of the Commander-in-Chief was published, declaring the Russian Jews to be allies of the enemies of Russia, on the ground of articles in the German newspapers:

"In the German newspapers there have appeared articles, stating that the Germans have found in the Russian Jews faithful allies. In the victory of the Germans, the Jews see their deliverance from the yoke of the Czar and from Polish persecution. Similar information is also continually coming from our troops. In order to attain security from

the harmful activities on the part of the Jewish population, the Commander-in-Chief has ordered that hostages be taken from the Jews as soon as inhabited settlements are occupied, and that at the same time the inhabitants should be warned that in case of treachery, not only for the period of occupation of the place by our troops, but even after it was evacuated by them, the hostages will be executed. Recorded: Telegram of General Oranovsky No. 343. Signed by the Commander of the Fortified Region, General Bobir."

Jews Barred From Employment in Consumers' Associations of Army Officers

On the 17th of December twelve hostages were taken from the Jewish population of *Lokhachevsk*; on the 6th of January, 1915, the entire Jewish population of Lokhachevsk was expelled. After that, two orders of the 31st of December, 1914, and the 17th of January, 1915, follow in chronological succession, which reveal the sentiment of the authorities with regard to the Jews in general, outside of any question of treachery. The first, Order of the Day of the Army on the South Western Front, No. 343, calls attention to the fact that certain Consumers' and Economy Associations of Army Officers in the war area employ Jewish agents.

Slander of Jewish Physicians

The other Order of the Day deals with the old and tried expedient of accusing the Jews of revolutionary agitation:

"In view of the propaganda against the government undertaken by Jewish physicians and assistants in the sanitary trains there appears to be an extreme necessity for the enactment of measures which should not only contribute to the suppression of the revolutionary propaganda, but which should also cut at the root the very possibility of the Jewish physicians and sanitarians in engaging in revolutionary propaganda. . . ."

On the 6th of January, 1915, the Commander of the town of Zihirardov ordered the local Jews, to the number of 3,000, to leave the place by five P. M. of the same day. In Viskidi, the guards made known an order of the military authorities to have all Jews expelled in twelve hours. . . . The same took place in Prushkov.

Expulsion of Jews and Suspicious Persons from Plotsk

On February 8 or 9, the Military Commander, General Ruzsky, despatched two telegrams to the Governor of the province of Plotsk. The first read: "*Remove all Jews of the province of Plotsk.*" The second telegram answered an inquiry by the governors as to the ways in which the order should be carried out, and read: "*There are to be removed immediately all Jews and suspicious persons from localities that are situated near the line of the front and in the region where the troops are concentrated. The purpose of the order is to prevent espionage. . . .*"

Severer Penalties for Jews Than for Other Nationalities

On the 12th of April, 1915, General Evert issued special regulations which impose severer penalties upon Jews than upon non-Jews for the commitment of the same crimes. In view of the extreme peculiarity of these regulations, they are quoted literally: *

"Compulsory regulations. In accordance with section 77, article 415 of the administration of field troops in time of war, be it declared that in view of the lately increasing number of cases of swindles and frauds committed by Jews in the region occupied by the army, and intended to cause injury to the troops, I increase temporarily the severity of the penalties, laid down by the law for frauds, and command that in the future, for any form of conversion of the belongings of another, consisting of money or movable effects, through fraud, as dealt with in articles 173-276 of the Code of Penalties imposed by the Justices of the Peace, in those cases where the accused are Jews and the plaintiffs, military companies or individual soldiers, there be imposed upon those guilty of committing frauds or swindles penalties prescribed by article 1666 of the Criminal Code, regardless of the amount that was thus embezzled.

"The Commander of the Army,

"General of Infantry,

"EVERT."

* See also page 16.

Jewish Relief Work Hampered

On the 9th of May, the governor of the province of Radom issued special regulations prohibiting the independent activities of the Jewish Charity Organizations in the region occupied by the army.

Russian Soldiers Incited Against Their Comrades in Arms

Finally, on the 10th of May, an Order of the Day was issued which aimed to arouse suspicion, this time not only against the peaceful population alone, but also against Jews in the ranks of the army, and against whom, up to that time, no complaints whatsoever were ever received from any part of the army whatever. And this Order of the Day was not issued by any of the military divisions, nor by an individual commander, but by the General Staff. (Order of the General Staff No. 1193 under date of April 27, May 10, 1915). It was composed at a time when the Russian nation was overcome by grave alarm, when on the one hand the enemy was gaining ground in the Baltic provinces, and on the other hand the attack in Galicia by the Germans was started. In those terrible days the General Staff decided to collect statistics about the conduct of the Jewish soldiers. But the desired character of the information looked for was determined in advance by the Order of the Day. Information was demanded with regard to four questions; in this number the following two are included:

3. "The circumstances of the surrender of Jewish privates as prisoners of war," and 4. "Cases of treason against duty and oath."

Such is the list of Order of the Day, alternating with Circulars to the same effect, for the first eight or nine months of the duration of the war.*

There is no necessity to describe the horrors of a rapid expulsion in winter of a people *en masse* from

* See also order of General Jakowlov from a later date, page 71.

their homes. Detailed data of these horrors were collected by the Jewish social and charitable organizations in Warsaw and Poland, to whose lot has fallen the care of the ruined fugitives. In Warsaw alone, according to statistics of the Petrograd Committee for the aid of war-sufferers at hand a month ago, there were crowded about 80,000 refugees and expelled; of this number 40,000 belonged to those who were expelled by order of the authorities. All these people were supported from the funds of Jewish charity. Forty thousand of these refugees were getting ten copecks (five cents) a day per capita from the Petrograd Jewish Committee, and the rest were supported from local Jewish resources.

Hostages

It is of particular importance to enumerate the hostages taken from the Jewish population in various localities. The very idea that a State may take hostages from its own subjects is utterly repugnant. Being a survival of the obsolete idea of communal responsibility, its full burden falls upon the best and most respectable persons of the given group. *Not only were hostages taken from among those who had the best standing in the Jewish community, but at times hostages were recruited from persons who had, during the war, distinguished themselves by their energetic and self-denying activities for our army.* It would suffice to mention that among others a certain Mr. Gokhberg was taken as hostage in the town of Konsk. This was the same Gokhberg of whom a Duma member of our party, Nekrassov, had spoken, as having proven of inestimable service to the Union of Zemstvos. Nekrassov had recommended Gokhberg to the Headquarters of the Zemstvo Unions for some mark of distinction, but confirmation of the honor had not arrived from Moscow when Nekrassov heard that Gokhberg was taken as hostage and despatched to the province of Poltava. The party of sureties in which Gokhberg was included consisted of 43 persons. The appeals of the relatives, as well as of the Jewish mem-

bers of the Duma, both to the local and central authorities, were in vain; the Minister of Internal Affairs protesting that this question was outside of the limits of his authority.

The first information covering the taking of hostages refers to the months of September, October and November, 1914. At this early time some scores of Jews were taken as hostages in Prushkov. At the same time hostages were taken from Tsikhanov, the rabbi and two Jews; in Zhurommin, the rabbi and ten Jews; and in Brezine, seven Jews and two Germans. All these hostages were held arrested for some time and then released. In some places the complement of hostages was changed daily, as at Brezine.

Odd Bargaining

On the 17th of December twelve hostages were taken in the town of Sokhachev; these being changed daily thereafter. On the 26th of January three hostages were executed, the cause of the execution being unknown. In Radom two hostages were at first taken—a manufacturer and a contractor. The Governor-General, however, discharged them, for the arrest of the manufacturer brought about the suspension of work in factories employing numerous workmen; and after the arrest of the contractor, the work on government orders was stopped. Instead of the men released, three old men, sixty years and over, were arrested.

The taking of hostages was accompanied in some places by an odd kind of bargaining. At first the richest people were designated as hostages; these were then discharged for a certain ransom, and in their stead a second levy was designated; this in turn was discharged for a ransom, and a third draft designated.

Acts of Jewish Heroism Suppressed by Russian Censorship

It is necessary to dwell on all these facts with some detail, since the censorship all this time did not permit

the press to publish facts. The attitude of the censors towards the Jews deserves particular attention. From the first day of war the censors were eliminating from the press columns everything that bore evidence of Jewish gallantry, of awards of insignia of distinction to Jews; of the promotion of Jews to the rank of ensign, and so on. The editorial offices of progressive newspapers like *Rech*, *Dyen*, *Birzheviya Vedomosty*, and *Petrogradsky Kuryer*, possessed long columns of such news cancelled by the censors.

“New Voskhod” Suspended for Collecting Materials on “The War and the Jews”

In *Rech*, for instance, from a short paragraph, “The Jewish non-commissioned officer B. has accomplished such an exploit,” one word only, the word “Jewish,” was cancelled by the censor. In the *Petrogradsky Kuryer*, the pictures of Chevaliers of the Cross of St. George were suppressed by the censor. But the lot of the Jewish journal *New Voskhod* was veritable martyrdom. The censorship either entirely suppressed the lists of Jews who had distinguished themselves at the front, or after protests of and barter with the editor, permitted him to publish parts of the lists, while the rest was being suppressed. In some cases the censorship finally permitted the designation of Chevaliers of the Cross of St. George by initials only. When, however, the journal had worked out a plan to publish, as a premium to subscribers, a book entitled “The War and the Jews,” and started to collect materials for it, the censorship, for this attempt, suppressed the journal.

While Children Fight, Their Parents Treated as Outlaws

In the early part of April, 1915, an order by the Commander of the Fortress of Viborg became known in Petrograd. The order prohibited the settlement of Jews on the seashore of the Gulf of Finland. Presently in

the newspapers appeared a list of localities included in the prohibited zone. By this order the wholesale accusation of treason was thrown in the face of the Jews not only of Poland, Galicia and Bukowina, but of all the Jews inhabiting the Russian Empire. The Jewish communities addressed a statement to the Commander-in-Chief concerning this case. Some extracts from this document deserve our attention because they illustrate the frame of mind of the Jewish people :

"The entire Jewish people would eject, with disdain and indignation, from their midst those outrageous and base criminals who, having forgotten their duty and conscience at a time of the nation's greatest trial, would by design or in fact violate their sacred duty of loyalty to the fatherland. Never in the space of centuries, however distressing the persecution which the Jews have had to suffer from prejudice, has there been a country wherein the Jews have lived as subjects that would have pronounced the whole of these, its Jewish subjects, to be traitors to their fatherland. For the first time such an attitude on the part of the authorities towards the Jews is manifested nowadays. At a time when our children are fighting in the ranks of the gallant Russian army for the honor and glory of Russia, we, their parents, are subjected to a common responsibility on a level with outlaws, and are subjected to penalties for abominable deeds which are aimed at the betrayal of our own children."

The address concludes :

"We dare address your Imperial Highness in the hope that our humiliation be not enforced any longer; that we be relieved from the stigma of outcasts; that we be allowed through right as loyal sons of the fatherland to exert all our efforts to combat our common enemy."

Expulsion From Kovno and Kurland

To this address no answer was received.

Finally, with the appearance of the enemy within the boundaries of the provinces of Kovno and Kurland came the Orders of the Day of May 10 and 11 for the expulsion of all Jews from many cities and towns of the provinces of Kurland, and in the middle of May the order for the expulsion came from the province of Kovno. The expulsion of Jews from the affected districts of the province of Kovno embraced 120,000 people, and

from the province of Grodno, 30,000, or 190,000 people in all. The time given for removal varied from 24 hours, as in Kukiyn and in Tsabelnya; on occasions even less than 24 hours were allowed. The exiles were directed to localities on the left shores of the Dnieper, in the governments of Yekaterinoslav and Chernigov, a region entirely foreign to them. The tragedy of this compulsory migration is not yet at an end. At the present moment there are yet tens or hundreds of thousands of people adrift in cattle cars, far from their native provinces, deprived of shelter, living on charity. For weeks they are kept in cars on the side tracks. The local population hiss at them with cries of "spy" and "treacherous Jews." The people can find no other explanation for this scene.

Deportation of Crippled, Insane and Wounded Soldiers

The orders of expulsion affected all Jews with no exceptions whatever. There were deported wounded soldiers who had just returned from the battle front; the wives, children and parents of those fighting at the front; aged men, some 80 years old, and new-born babes. The writer, Korobka, and the member of the Duma, Kerensky, who themselves visited the localities where expulsions have been taking place, relate that they saw on the way entire asylums of deported helpless cripples and insane, and sheltering houses for infants and orphans banished *en masse*. According to the evidence of eye-witnesses, regions have been entirely depopulated. Inasmuch as the Jews have for a time been the principal factors in the commercial and industrial life of these localities, business had stagnated. Such a collapse of economic activities is particularly dangerous at a time when all efforts should be centralized upon the sole task, the complete mobilization of the nation's resources. Economic disorganization in those localities has reached a point where articles of prime necessity are lacking.

In some localities the railway employees, unable to get provisions, were compelled to apply for food to the Camps of the Red Cross.

It is unnecessary to dwell on the evil effect the process of expulsion is exerting on the localities whereto the multitudes of starving, pauperized, shelterless people are directed. The distressed inhabitants of these towns and cities must now shelter and provide for the newcomers. The local economic life, which is not adapted to such radical changes, suffers complete disorganization. Disease follow on the heels of the fugitives.

The Kuzhi Slander

Preceding the acts of expulsion from the provinces of Kovno and Kurland, another act of the Government, the consequences of which may prove more fatal than the policy of eviction itself, must be here recorded.

On the 18th of May the following report appeared in the official military organ, *Nash Viestnik*:

"On the night of May 10-11, an attack on a section of one of our infantry regiments in bivouac was made by the Germans at Kuzhi, a little to the northwest of Shavli (Province of Kurland). This incident evinced shocking treachery against our forces by a certain part of the local population, particularly the Jews. Prior to the arrival of our detachments in this hamlet, the Jews had concealed Germans in many of the cellars, and at a signal given by a shot, they set Kuzhi on fire from all sides. Leaping out from the cellars, the Germans rushed to the house of the commander of our infantry regiment. This regrettable incident once more confirms the fundamental requirement of field service—that is, the necessity that utmost attention should be given to guard duty, and especially at those important points that were formerly held by the enemy and are inhabited mostly by Jews."

Government Spreading Tale

This communication was reprinted from *Nash Viestnik* as a placard, and pursuant to an order by the authorities, was posted on the streets side by side with the most important reports from the front. The army got its orders, as it evidenced by the printed Orders of the Day, to bring the communication to the attention of all

and every one, down to the very last private. Editors of the provincial press, who had no desire to publish this communication, were compelled by the Government to do so under penalty of administrative punishment; this was the case in Minsk, Samara, Rostov on the Don, and others. In some places the official held services in commemoration of the escape of the army from the treason of the Jews; such was the case in Tashkent.

The purpose of these measures was self-evident, and it must be admitted that, to a certain degree, it was achieved. *The wide publicity given to the Kuzhi incident was in itself clearly intended to stir the passions of the Russian masses and to sweep them into the whirlpool of anti-Semitic agitation and pogrom hatred.*

Entire Story Pure Fabrication

We take particular interest in establishing the fact that the entire communication as a whole concerning Kuzhi is a lie; that the Government had knowledge of its being a lie, but that the Government has no desire to publish the facts in its possession.

As to what had happened to Kuzhi, an investigation was made by the member of the Duma, Kerensky; about this same incident an inquiry was made among the inhabitants of Kuzhi by the member of the Duma, Freedman. On the evidence of the minutes of the inquiry made by Freedman and of the reports of Kerensky,* the facts in the case are as follows:

“Kuzhi is a small village inhabited almost exclusively by Lithuanians. Out of forty houses, only three are Jewish. Altogether there were six Jewish families in Kuzhi. As to the ‘many cellars’ reported in the official communication, these are the facts: There are five small cellars in the village, and of these only two are in Jewish houses. Of the five cellars, the two largest have a length of from four to five yards, and a width of about three yards; the height is less than human stature. In the

* See also Kerensky's speech in the Duma, page 76.

middle of April, Kuzhi was occupied by the enemy. Jewish and Christian inhabitants suffered equally. A local shopkeeper, Keebart, suffered especially; the enemy detachments took away much of his goods without paying for them.

No Jews in Kuzhi at Time of Supposed Accident

"On Sunday, May 9, between 8 and 9 o'clock in the morning, an enemy reconnoitering detachment, consisting of eight men, appeared at Kuzhi, and towards evening galloped away. Late in the evening of the the same day a detachment of our troops entered Kuzhi, and these were stationed in the houses of the town. Three officers and their orderlies were quartered in the house of Keebart; in the yard of the same house the field-kitchen and the forage transport of the regiment were placed. In the presence of the local inhabitants, Mikhail Volkov and Rok Stafeelavich, Keebart warned the officers that according to rumors abroad the Germans were only four versts (3 miles) away from Kuzhi. Notwithstanding the fact that this information was confirmed by Volkov and Stafeelovich, the officers would not consider it trustworthy, and asserted that the enemy had been driven far away and would not come back.

"In the nights of May 9-10 Kuzhi was subjected to bombardment by heavy guns, which set the place on fire. When the fire reached the house of Keebart, the soldiers helped him and his family to escape from the burning house. The next morning, May 10, the greater part of the population, including all the Jews, without exception, upon the advice of the officers, left Kuzhi. Towards the evening of May 10 they reached the village of Minstoki, where they spent the night of May 10-11. *When, according to the report in Nash Viestnik, the enemy detachment was attacking Kuzhi there were no Jews in it. All the Jewish houses were destroyed by fire.*"

Death and Starvation Preferred by Jews to Stigma on Their Civic and National Honor

To conclude the recital of facts it is perhaps worth while to add that, according to information at hand, the Government, alarmed at the results of the policy of expulsion, had submitted to the military authorities certain proposals as to the return of the exiled. The military authorities, however, while admitting that the "embarrassment" created by the wholesale expulsion is proved, would consent to let the Jewish population return to their homes only on condition that they agree voluntarily to furnish hostages from among the rabbis and other respectable persons. Concerning this demand by the authorities, the member of the Duma, Freedman, has addressed the following letter to the Prime Minister:

"As a representative from the Province of Kovno, wherefrom I am at present deported together with the rest of the Jewish population, I consider it my duty to forward the following information to Your Excellency: Pursuant to this last order of the corresponding authorities, the exiled Jews are permitted to return to their native places on the condition of furnishing hostages. This monstrous condition exacted by the authorities from their own subjects, the Jewish population does not accept. It chooses exile and death from starvation rather than accede to a demand which is a stigma on its civic and national honor. The Jews have honestly been fulfilling their duty to the fatherland and will continue to fulfill it up to the very end. They will not be frightened away by any sacrifices, and no persecutions can divert them from the road of honor. But no persecutions can compel them to acknowledge a lie by their submission, thereby giving evidence that the base libel is a truth.

Such are the facts. The conclusions which the Central Committee draws from these facts are stated in the following resolution:

Resolution of Kadet's Conference

"After discussing the elements of the Jewish problem in Russia as manifested the last ten months, the Convention of the Kadets has come to the following conclusions:

Official Anti-Semitism—Old Weapon of Sinister Demagogism

“The declaration of war aroused in the Jewish population of Russia a great outburst of patriotic sentiment, and a member of the Party of People’s Freedom, Freedman, gave expression to this sentiment in the historical session of the State Duma on the 8th day of August, 1914, sharing in full that enthusiasm which seized upon the nation in the recognition of the danger threatening the fatherland and of the necessity to devote all efforts in order to triumph over the enemy of European peace and national independence. This patriotic sentiment of the Jews, at a moment of unique trial for their country, seemed to dispel the prejudices which have rooted themselves in governmental circles and to clear the way for extending the same recognition to the Jews that obtain throughout the civilized world. But such an issue would *have deprived the defenders of the outlived past, of their chance to exploit anti-Semitism, as a tried weapon of sinister demagogism. And so we see how, under the direct inspiration of notorious Jew haters, measures are undertaken in good time to incite the army and the people against the Jews, by taking advantage of the circumstances and the rules of war-time.*

Taking of Hostages Violates Most Elementary Principles of Justice

“Isolated cases of espionage, recorded among the frontier population of all nationalities, are generalized, and given as a pretext for the most incredible fabrications and sinister legends, and are ascribed exclusively to the Jews. The Jewish population is subjected to the wholesale accusation of treason, and this slander becomes the source of numberless misfortunes for the Jews.

“The enforcement of the principle of communal responsibility, a principle that is abhorrent to the most elementary sense of justice and has long disappeared

from the list of penalties admitted by law, is being visited on Jews only. The unprecedented policy of taking hostages from the citizens of one's own country is the first application of this penalty, all the more distressing that it is being inflicted upon the foremost members of the Jewish community, who frequently have proven their devotion to the fatherland. These are compelled to undergo a régime that is accorded only to criminals.

Wholesale Expulsions—Extension of Abandoned Principle of Collective Responsibility

“Extending the principle of collective punishment, its adherents have passed on to the system of the wholesale expulsion of Jews from the localities which happen to fall in the sphere of military operations, thus strengthening the absurd slander, and placing an entire nationality in a degrading position before its co-citizens. It is impossible to describe the sufferings caused by this measure which has resulted in the expatriation en masse of hundreds of thousands of the poor Jewish population, including soldiers wounded in the war, their wives and children, helpless old men and the incurable sick.

“At the same time, the system of expulsion has produced a grave disorganization of the economic life in entire provinces where the Jews have played, since long, the most prominent part in commerce and industry, and thereby wrought harm to the successful realization of the main task, the complete mobilization of national resources behind the fighting line. It has also brought about grave disturbances in the life of those localities to which the Jews were forcibly deported.

Solution of Jewish Question of Primary Importance to True Progress of Russia

“Not only for the sake of brotherhood and good will among the nationalities who are destined to live within a common state; not only for the sake of maintaining in the Jewish population which has been driven to despair,

hopes of a brighter future and that progress for which the Jews are incessantly struggling, but also for the sake of the realization of our task as Russians, to raise our dear fatherland to the level of a really civilized country, we must make vigorous resistance to the attempts of the reactionary forces to break our connection with the army and people on the Jewish question—a connection that has become especially strong since the beginning of the present war. Our opponents desire, even after the war, to exploit the same poisoned weapon of blind nationalism they were formerly exploiting.

“It is our task to demonstrate to the masses that there is a desire to deceive them, to rouse their worst passions, and thus to distract their attention from their real interests. We must, as heretofore, insist and firmly point out that there is only one way of achieving a better future. The Jewish problem can be solved only in a manner demanded by the fundamental principles of statesmanship—by recognizing the principle of equal civil rights and of the right of national self-development.”

The report was unanimously approved by the joint conference and the resolution unanimously adopted.

ADDENDA TO CHAPTER I

Discrimination Against Jews During Evacuation of Warsaw

On July 7, 1915, an order was issued by the Commander of the 17th Army Corps, General of Infantry Jakowlow. The order states that it was promulgated by the Corps Commander “by order of the Commander-in-Chief,” to govern the evacuation of Warsaw. The following three instructions contained in the order reveal the appalling Russian discrimination against the Jews:

"1. It is advisable to persuade the population to follow the army on its retreat from the evacuated areas.

"5. The civil population leaving their residences are to be directed towards Lublin, Kholm, Vladimir Wolinsk, Kovel, Lutsk, Dubna, Kremenietz, Lachowce.

"7. Refugee Jews are to be directed towards the district east of the Volga."

If you will look at a big map the differentiation here made between "the civil population" and "refugee Jews" will leap to the eyes. The "civil population" were "to be directed towards" the nearest available points; the "refugee Jews" to a district within at least something like a thousand miles away.

Hostages Demanded As a Condition for Return of the Exiles

The Kieff Committee of Jewish Relief petitioned the governor of Kovno for leave to the Jewish exiles from the Province of Kovno to return home. The following telegram came in reply to this petition:

"The Jews deported from a part of the Province of Kovno beyond the line Riga-Bausk-Ponyevyeh-Vilkomir-Kovno may reside only beyond that line, to wit: in the Novo-Alexandrovsk district and part of the Vilkomir district, to the east of the above-mentioned line. Return to permanent residence, if within the zone of military operations, is allowed only on condition that acceptable hostages be first furnished.

"(Signed) Governor Gryaznoff." *

The Jews refused to avail themselves of this peculiar privilege.

Text of the Order for the Expulsion of Jews from Kowno

The Kowno administration received the following order from military headquarters:

"Pursuant to the order of the Commander-in-Chief

* "Voyna i Yevrie," Moscow Weekly, 1915, No. 11

of the army, each and every Jew residing to the west of the line Kowno-Yanoff-Wilkomir-Rogoff-Ponyevyeh-Posvol-Salata-Bausk shall be expelled. The points herein enumerated are likewise included within the territory from which the Jews shall be expelled. With regard to the Jews living within the territory at present occupied by the German forces, the said order shall be carried out immediately after the said territory is cleared of the enemy forces and upon its occupation by our troops. The expelled Jews must proceed to one of the following districts: Bakhmut, Mariumpol and Slavyanoserbsk, of the Province of Yekaterinoslav, and Poltava, Gadyach, Zenkoff, Kobelyaki, Konstantinograd, Lokhvitsa, Lubny, Mirgorod, Romny and Khorol of the Province of Poltava. The time limit for their departure has been set for the 5-18 of this May. After that date, sojourning of the Jews to the west of the said line will be punished in accordance with martial law, and the police officials failing to take effective measures for the enforcement of the said order will be removed from office and indicted. Notice of the foregoing hereby given for enforcement, you are directed, upon the completion of the general expulsion of Jews beyond the said limit of the territory under your jurisdiction, to report to me by telegraph by 12 midnight of May 5-18. The progress of the expulsion of the Jews from territory now held by the enemy shall be reported as fast as the same is carried out. '*

* "Retch," May 10. 1915.

CHAPTER II

RUSSIAN PUBLIC OPINION

OPPRESSION OF JEWS DENOUNCED IN DUMA

Russian Authorities Playing on Evil Instincts of the Masses

In the Duma, August 1, 1915.

Professor MILYUKOFF (Leader of the Constitutional Democratic Party) :

“Another violation of the internal truce was the policy adopted by the authorities towards certain nationalities. Here again the partisan prejudices of the authorities were especially in evidence. The playing on the evil instincts of the masses, with the usual policy of anti-Semitism and persecution of all ‘non-Russians’ and followers of other than the Orthodox Greek Church, assumed unheard-of dimensions under cover of the military situation.

Deeds Perpetrated Upon Jews Like the Dark Ages

“However, what I said pales before the deeds perpetrated upon the Jews. This unhappy people, animated at the beginning of the war by the universal patriotic enthusiasm, soon became an object of systematic mockery. I cannot, gentlemen, call by any other name the accusation of treason against a whole people, an accusation which cannot be justified by isolated cases of espionage which were recorded among the population of all nationalities living on the frontier. Under the mask of *military requirements, unheard-of measures of communal*

responsibility for uncommitted crimes were adopted—measures reminding one of the savage times of the dark ages.”

In the Duma, August 1, 1915:

Russian Government Takes Hostages From Its Own Subjects

M. T. CHKHEIDZE (Leader of the Social Democratic Party):

“You speak of unity! But what about the treatment meted out to another class of Russian subjects whose position in many respects resembles that of the workers. I mean the Jewish population, numbering some six millions of people? Leading members of Jewish communities in Russia are being taken as hostages by the Russian authorities. Was there ever a Government so cynical as to take hostages from their own subjects? I declare that this has no precedent in history.” (Interruption from the Right: “Spies!”) “Before speaking of espionage among the Jews you must not forget your own ‘Myasoyedoffs.’”* (Voice from the Right: “Myasoyed-off was hanged.”) “Well, there are probably plenty still left.

Restriction of Rights Promised by Russian Officials to Galician Jews as a Reward of Their Loyalty

“In the name of ‘unity’ what have your authorities done in Galicia? The army had already time to tread upon the soil of Galicia when the Russian Administration, with M. Gregus at its head and with the protection of Count Bobrinsky and Chikhacheff, members of the Duma, who, I believe, are now present, commenced introducing the elements of real Russian rule in this province, and to the anxious inquiries of the Galician Jews as to their ultimate fate, the cynical reply was,

* See note, page 49.

that by behaving loyally they might expect to be put on an equal footing with the Jews in Russia!"

In the Duma, August 1, 1915:

M. A. KERENSKY:

Kuzhi Accusation—A Malicious Slander

"After a year's war we see before us the Jews crucified through hatred and slanders. I proclaim from this tribune that I personally went to investigate the accusations alleged against the Jews of Kuzhi, that they had committed treason against the Russian Army. I must *reiterate that it is a mean slander and that such a thing could not, because of local conditions, have happened there.*" *

In the Duma, Aug. 2, 1915:

N. M. FREEDMAN (Jewish Deputy):

Patriotism of Russian Jews

"In spite of their oppressed condition, in spite of their status of outlawry, the Jews nevertheless managed to rise to the exalted mood of the civil populace and in the course of the last year to participate in the war in a noteworthy manner. They fell short of the others in no respect. They mobilized their entire enrollment, but, indeed, with this difference, that they have sent also their only sons into the war. The newspapers at the beginning of the war had a remarkable number of Jewish volunteers to record. Gentlemen, those were volunteers who, if judged by their educational attainments, had a right to the rank of officers. They knew that they would not receive this official rank, and nevertheless they entered the war.

"The Jewish youth, who, as a result of the restrictions as to admission to the high schools of the country,

* See also page 65.

had been forced to study abroad, returned home when the war was declared, or entered the armies of the allied nations. A large number of Jewish students fell at the defense of Liege and also at other points on the western front.

“The Zionist youths, when they stood before the dilemma of accepting Turkish sovereignty or being compelled to emigrate from Palestine, preferred to travel to Alexandria and there to join the English Army.

“The Jews built hospitals, contributed money, and participated in the war in every respect just as did the other citizens. Many Jews received marks of distinction for their conduct at the front.

Letter from a Jewish Patriot

“Before me lies the letter of a Jew who returned from the United States of America :

“ ‘I risked my life,’ he writes, ‘and if, nevertheless, I came as far as Archangel, it was only because I loved my fatherland more than my life or than that American freedom which I was permitted to enjoy. I became a soldier, and lost my left arm almost to the shoulder. I was brought into the governmental district of Courland. Scarcely had I reached Riga when I met at the station my mother and my relatives, who had just arrived there, and who on that same day were compelled to leave their hearth and home at the order of the military authorities. Tell the gentlemen who sit on the benches of the Right that I do not mourn my lost hand, but that I mourn deeply the lost human dignity that was not denied to me in alien lands.’

“That was the sentiment of the Jews that found expression in numerous appeals and manifestations in the press, and finally also in this same high house. Surely these sentiments should have been taken into account. One should have had a right to assume that the Government would adopt measures for the amelioration of the fate of the Jews who found themselves in the very centre of the warlike occurrences. Likewise, one should have

taken into account the sentiments of hundreds of thousands of Jews who shed their blood on the field of battle.

Wounded Jewish Soldiers Refused Leave to Stay for Treatment Outside of the Pale

"Instead of that, however, we see that from the beginning of the war the measures of reprisal against the Jewish populace were not only not weakened but, on the contrary, made much stronger. Banished were Jews and Jewesses whose husbands, children, and brothers were shedding their blood for the fatherland. A wounded soldier named Alexander Roschkow, who had been shot in the eye, came to Charkof for further treatment. But the authorities would not permit his stay outside of the Pale and marked his passport with the words, 'To be sent back to the Pale of Settlement.' The private soldier Godlewski, one of whose legs had been amputated, and who found himself at Rostov on the Don for recuperation, they tried to send to his native village in the Government of Kalisch, where the Germans were already settled; and it was only due to the activities of the Rural League that he was permitted to stay. An apothecary's helper, who likewise had been wounded on the battlefield, was not allowed to remain in Petrograd for his cure, and it was only by virtue of special intercession that he was later allowed to sojourn two months more at Petrograd, with the notice, however, that at the expiration of this period no further extension of his sojourn would be granted.

Jews Again as Scapegoats

"In a long war lucky events alternate with unlucky ones, and in any case it is naturally useful to have scapegoats in reserve. For this purpose there exists the old firm: the Jew. Scarcely has the enemy reached our frontiers when the rumor is spread that Jewish gold is flowing over to the Germans, and that, too, in aeroplanes, in coffins, and—in the entrails of geese!

Over 500,000 Jews Doomed to Beggary and Vagabondage by Wholesale Expulsions*

“In the first place these measures consisted of the complete transplanting of the Jewish population from many districts, to the very last man. These compulsory migrations took place in the Kingdom of Poland and in many other territories. All told, about a half million persons have been doomed to a state of beggary and vagabondage. Anyone who has seen with his own eyes how these expulsions take place, will never forget them as long as he lives. The exiling took place within twenty-four hours, sometimes within two days. Women, old men and children, and sometimes invalids, were banished. Even the feeble-minded were taken from the lunatic asylums and the Jews were forced to take these with them. In Mogilnize, 5,000 persons were expelled within twenty-four hours. Their way led to Warsaw through Kalwarya. Meantime they were forced to travel across fields through the Government of Lublin, and were deprived of the possibility of taking along their inventories. Many were obliged to travel on foot. When they reached Lublin, the Jewish Committee there had provided bread and food for them; but they were not allowed to tarry, and they had to travel on at once.

Not Allowed to Bury Their Child

“On the way an accident occurred; a six-year-old child was killed by a fall. The parents were not permitted to bury the child.

“I saw also the refugees of the Government of Kovno. Persons who only yesterday were still accounted wealthy were beggars the next day. Among the refugees I met Jewish women and girls, who had worked together with Russian women, had sewed garments with them, and who were now forced to encamp on the railway embankment. I saw families of reservists. I saw among the exiles wounded soldiers wearing the Cross of St. George.

*Since then the distress has more than doubled, both in intensity and volume. See page 126.

It is said that Jewish soldiers in marching through the Polish cities were forced to witness the expulsion of their wives and children. The Jews were loaded in freight-cars like cattle. The bills of lading were worded as follows: 'Four hundred and fifty Jews, en route to —.'

"There were cases in which the Governors refused outright to take in the Jews at all. I myself was in Vilna at the very time when a whole trainload of Jews was stalled for four days in the Novo-Wilejsk station. Those were Jews who had been sent from the Government of Kovno to the Government of Poltawa, but the Governor there would not receive them and sent them back to Kovno, whence they were again reshipped to Poltawa. Imagine, at a time when every railway car is needed for the transportation of munitions, when from all sides are heard complaints about the lack of means of transportation, the Government permits itself to do such a thing! At one station there stood 110 cars containing Jewish exiles.

Persecution of Jews in Russia Worse Than Spanish Inquisition

"Another measure which likewise is unprecedented in the entire history of the civilized world, is the introduction of the so-called system of 'hostages,' and, indeed, hostages were taken not from the enemy, but from the country's own subjects, its own citizens. Hostages were taken in Radom, Kjelzy, Lomscha, Kovno, Riga, Lublin, etc. The hostages were held under the most rigorous régime, and at present there are still under arrest in Poltawa Jewish hostages from the Governments of Kjelzy and Radom.

"Some time ago, in commenting upon the procedure against the Jews, the leader of the Opposition, even before the outbreak of the war, used the expression that we were approaching the times of Ferdinand and Isabella. I now assert that we have already surpassed that era. No Jewish blood was shed in defense of Spain, but ours

flowed the moment the Jews helped defend the Fatherland.

Jews Oppressed by the Russian Government But Not by the Russian People

“Yes, we are beyond the pale of the laws, we are oppressed, we have a hard life, but we know the source of that evil: it comes from those benches (pointing to the boxes of the Ministers). We are being oppressed by the Russian Government, not by the Russian people. Why, then, is it surprising if we wish to unite our destinies, not with that of the Russian Government, but with that of the Russian people? When three years ago there was pending here the Kholm law proposal, did the thought ever occur at that time to the sponsors of the bill that in a short time they would have to scrape and bow before free autonomous Poland? We likewise hope that the time is not distant when we can be citizens of the Russian State with full equality of privileges with the free Russian people.

“Before the face of the entire country, before the entire civilized world, I declare that the calumnies against the Jews are the most repulsive lies and chimeras of persons who will have to be responsible for their crimes.”

CHAPTER III

THE GOVERNMENT INTERPELLATED

On the 16th of August, 1915, an interpellation on the treatment of the Jews in war-time was brought forward in the Duma by the Social Democratic Party, the Peasant-Labor Group, and the Constitutional Democrats. The interpellation dealt with: 1. The wholesale expulsion of Jews from their homes in the war zone (see page 18). 2. The Kuzhi affair whereby the stigma of treason was officially fixed upon the Jewish people (see page 17). 3. The taking of hostages as security for the loyalty of the Jewish population (see page 60).

In the course of the ensuing debate the following opinions were voiced:

DZUBINSKY, Peasant-Labor Group:

Military Authorities Create Fictitious Culprits—the Jew—to Protect Real Traitors

“All the misdeeds enumerated in the Interpellation which were carried out with such energy by the civil and military authorities show that even the military authorities, instead of using this energy and attention in the prosecution of their proper task, are diverting the attention of society into another direction which is absolutely injurious. This is probably being done with the intention of finding a fictitious culprit, to concentrate upon him the attention of the people so that in the meantime the real culprits may escape. A screen is thereby put up for the Myasoyedoffs and other of our traitors behind which they may take shelter.

Expulsions Performed With Immeasurable Brutality

"As representative of the 5th Siberian Division I have been at the front, and can bear personal witness to the immeasurable brutality with which the Jews were expelled from the province of Radom.* The old, the sick and the paralyzed had to be carried in arms, as no means of conveyance were obtainable.

"At one of the stations, for instance, the Jewish Committee of Homel was not permitted to hand food or water or give any assistance to the fugitives who were in the carriages of the train. In one case the carriages of a train conveying the expelled were not even opened once during the whole journey, and at the stations *en route* nobody was permitted to approach the carriages. Most of the expelled in this train were found afterwards half dead, sixteen had the scarlet fever, one was ill with typhoid fever, and one woman died of exhaustion on the third day. The Jewish Committee of Poltava was officially reprimanded by the Governor of Poltava for calling itself "Committee for the Relief of the Jewish War Sufferers." He requested the Committee to alter the name to "Committee for the relief of expelled Jews." The Jews, he said, were expelled because they were "politically unsound."

Jews Taken as Hostages and Cast into Prison Solely Because They Command Respect

"The most arbitrary and cruel measure of all is the notorious order prescribing the taking of hostages from our own subjects. Note, such hostages were taken from among the most wealthy and from among those who are held in great respect even by the authorities. I ask you, by what law of the Russian Empire are people cast into prison solely because they command respect? By what law is it permitted to try and punish absolutely innocent people for

* See also page 58.

offences committed by others? Even now there are about 400 such hostages in the prisons of Poltava, Ekaterinoslav, and Mohileff, who are in constant danger of being hanged at any moment. At Sochachoff three such hostages were hanged for a crime not committed by them, but by persons quite unknown to them."

CHKHEIDZE, Leader of the Social Democrats:

"The whole of Russia and the whole world know who are the people responsible for the present position in which Russia finds herself, either at the theatre of war or behind the battle line. The whole country knows that they are not the Jews, but those who fatten on Government contracts in connection with the supply of the army. The culprits are those who, with the help of the Myasoyedoffs,* Grotguses, and others, were betraying Russia.

Crippled in Battle Jewish Volunteers Barred From Employment Outside of the Pale

"What justice is this that requires that a Jewish volunteer, who has been several times in battle, and is now crippled and mutilated, should be sent out within twenty-four hours from places in Russia where he is looking for employment? What humanity is this which forbids the offering of food to hungry Jewish fugitives kept in sealed wagons at the stations, as our authorities have done? What freedom is this to have the whole Jewish Press suppressed and destroyed by a single stroke of the pen? What brotherhood is this when a part of the army is set against the Jewish soldiers who are risking their lives in the same trenches with the others? What ethical or aesthetic principle underlies the outraging of a Jewish woman within the precincts of the Synagogue, whither she flew in the hope of escaping her terrible fate?" (Shouts from the Right: "What? Shame!") "Shame, indeed, but this is a fact."

* See note page 49.

“By virtue of what code are Jewish subjects of Russia being taken as hostages and thrown into prison, in order to subject them to torture and death?”

Duma Committee Denounces as Illegal Jewish Expulsions, Slander and Taking of Hostages

On being put to a vote, Chkheidze's motion was adopted and referred to a committee of the Duma. The findings of the committee in connection with these three points were:

“1. Orders of military authorities cannot form the subject of an Interpellation in the Duma, but the carrying into effect of such orders and under the conditions described are absolutely illegal.

“2. Compulsion used in respect of newspapers, obliging them to publish the official *communiqué* containing the story of Kuzhi, was illegal.

“3. The authorities, in accepting the hostages, were acting unlawfully.”

All the three points were adopted by the committee, and A. M. Maslenikoff (Progressist) was instructed to report to the Duma.

The Interpellation went no further, however. The Duma was prorogued before the Committee reported upon the subject.

CHAPTER IV

THE CENSORSHIP

In the Duma, September 7 and 10.

PROFESSOR MILYUKOFF, Constitutional Democrat:

Statement Exonerating Jews Suppressed by Censor

“All information concerning deeds of valor by, or distinctions bestowed upon, Jews was suppressed as a matter of course in conformity with the circular. The censor, for instance, suppressed the declaration made by Obninsky, member of the first Duma, in which he said: ‘During the eight months of my stay in Galicia I had numerous occasions to satisfy myself as to the groundlessness of the legend about the prevalence of espionage among the Jews. The number of convictions at the Russian field courts-martial was insignificant; it hardly reached 10 out of a hundred tried. As to the Jewish privates in the Russian Army, I heard nothing but good reports of them from commanders of regiments, brigades and divisions.’

But Circulation of Cynical and Incendiary Advice to Exterminate Jews Tolerated by Censorship

“On the other hand, the censor permits the following opinions in the notorious paper *Grosa*: ‘Now an excellent opportunity presents itself of making an end of the Jewish question. Nothing more is required than to gather the Jews from all over Russia and drive them into those towns which are sure to fall into the hands of the Germans. The Jews may then be struck off the roll of Russian subjects. Afterwards, when the Russian troops commence reconquering these towns, the Jews should be driven further on to the German lines and all their property should be confiscated. If we do not take ad-

vantage of this splendid opportunity, a better occasion will never arise.'

All Yiddish Periodicals With a Circulation of About 300,000 Suspended

"By a single stroke of the pen the entire Yiddish press had been suspended, and no Yiddish newspaper is permitted to appear. Even the present 'renovated' Cabinet has not repealed this interdiction. In Warsaw, Vilna, and Odessa eleven publications were closed, of which the dailies *Haint* had a circulation of 130,000, *Moment* over 100,000, *Unser Leben* 20,000, six other publications varying in circulation between 5,000 and 8,000. You will see from this that they were not little sheets without readers, but papers serving the needs of a whole nation, a large proportion of whom do not command any other language but Yiddish."

SKOBELEFF, Social Democrat:

Yiddish Correspondence Destroyed

"The policy of the Government remained the same even after the outbreak of the war. The labor press having been suppressed before the war, it was now the turn of the non-Russian periodicals. Of the Ukrainian press nothing but the memory of it was left. Over twenty periodical publications, from the dailies to the scientific monthlies, were suppressed. Already at the beginning of the war Yiddish correspondence, irrespective of its contents, was being destroyed in large quantities by the postal authorities in numerous places in Russia. Most of the hundreds of thousands of Jewish soldiers who can only write Yiddish were thus denied the possibility of sending letters home and, may be, of sending their last farewell to their mothers."

DYMSZA, Polish Group:

Country Ruined by Government

"When the forcible removal of the whole population from the kingdom of Poland and the deliberate destruc-

tion of the wealth of the country commenced, the military censorship suppressed all statements made in connection with it. Nobody was to know of the terrible violence done to us. And what was the result? The State had incurred incalculable losses, a whole country was ruined economically and ethnographically, several millions of people were made paupers and are now being sent to Siberia. All this was kept secret from us."

SUKHANOFF, Peasant-Labor:

Jewish Newspapers Never Ceased to Inspire Jewish Masses With Russian Patriotism

" . . . Making use of the law against espionage, the Minister of Internal Affairs converted the organ for censorship of the press into an organ for mockery of public opinion. All periodical publications appearing in the Jewish language were suspended. This in spite of the fact that the Jewish newspapers from the very beginning of the war never ceased appealing to the Jewish masses to do their duty to Russia."

BOMASH, Jewish member:

Censorship Encourages Falsehoods and Libels Against Jews

"The censorship has set out to suppress the truth about the Jews, and to encourage all sorts of falsehoods and libels upon us. On the one hand, circulars were issued requesting the press not to incite one part of the population against the other, and, on the other hand, the censor passed, for example, such opinions as 'that the Jews at the front are the enemies of our army,' which appeared in the *Novoye Vremya*, or 'that not one Jewish soldier is to be trusted,' etc., which appeared in the *Russkoe Znamia*. The censor permits the publication of such absurdities as Jewish doctors maiming Russian soldiers at the Red Cross hospitals and infecting them with syphilis."

CHAPTER V

IN THE COUNCIL OF STATE (UPPER CHAMBER):

From a speech delivered on the 17th of September, 1915,

By Baron Rosen

former Russian Ambassador at Washington:

Outrageous Treatment of Russian Jews Detrimental to Cause of Allies

“In our policy towards our border provinces, and towards the so-called non-Russian nationalities, we have, to the greatest detriment of the real interests of Russia, followed closely the German system of government. We have even improved upon it by an addition of medieval religious intolerance.

“It is inconceivable that those who guide our home policy should fail to realize that by our medieval treatment of the Jewish population of Russia, and by our systematic outrages upon the constitutional habit of mind of the Finnish people, we are helping enormously the pro-German propaganda in neutral countries which our enemies carry on with lavish means to the detriment of the cause of the Allies.

“The question is, why has not our Government settled the question once and for all, as it did—alas so late—the question of Polish autonomy? The only answer is that our Government did not wish to renounce a traditional policy so dear to the hearts of our militant Nationalists.

Abolition of Jewish Restrictions Would Help Russia in International Affairs

"It is therefore incumbent upon the Legislative Chambers to assist the Government in this matter, and to introduce bills abolishing all the restrictive laws against the Jews, and cancelling the law of July 17 (30) concerning Finland.

"Such measures would undoubtedly facilitate the task of the Government in international matters, and would meet with the lively appreciation of our valiant allies.

"We must bear in mind that this great European War is not only a conflict of interests, but also of ideas and principles. In fighting against German militarism, Russia is taking her stand on the side of those who fight for the triumph of the idea of Right and Freedom, and it is necessary that no longer shall there be people in Russia oppressed or deprived of their rights."

CHAPTER VI

IN MUNICIPAL AND ZEMSTVO COUNCILS, IN CONVENTIONS OF PUBLIC OFFICIALS, Etc.

Various municipalities outside the Pale have petitioned the government to give equal rights to the Jews.

The Municipal Council of Smolensk, at its session of December 19, 1914 (January 1, 1915), passed a resolution, with only two dissenting votes, petitioning the government "to abolish all measures which restrict the rights of Russian subjects of the Jewish faith, and, in particular, to abolish the Pale of Settlement." * *

Before his departure from the Caucasus, the retiring Viceroy, General Count Vorontzoff-Dashkoff, received a Jewish deputation. The Count in addressing the delegates said: "I have always been in favor of granting equal rights to the Jews, and shall be happy to live to see them as fully emancipated citizens." **

In August, 1914, a meeting of municipality, Zemstvo, Stock Exchange, and University Officials and merchants, at Odessa, resolved that the country would benefit by the abolition of all repressive laws and the opening of educational institutions to all citizens.†

In August, 1914, the Moscow Conference of Mayors also forcibly condemned the expulsion policy of some governors and resolved to use its influence to ameliorate the position of the Jews.‡

So also the Congress of Delegates from cities of Western Siberia petitioned for the abolition of all Jewish disabilities. ***

* "Novy Voskhod," Dec. 30, 1914, Jan. 12, 1915.

** London, J. Ch., Oct. 22, 1915.

† "Novy Voskhod," Sept. 4, 1914, p. 15.

‡ "Novy Voskhod," Aug. 14 (27), 1914, p. 24-25.

*** "Novy Voskhod," April 24 May 24 (May 7) 1915, p. 30.

Within the past few months the municipalities of Samara, Saratov, Yekaterinoslov and other important centers; the Siberian Municipal Conference, and the Conference of twenty Zemstvos held at Yaroslavl all petitioned the government and the Duma to remove the disabilities affecting the Jews of Russia.

CHAPTER VII

IN TRADE AND PROFESSIONAL ORGANIZATIONS

The Military-Industrial Committee, organized in May, 1915, to integrate the economic resources of the country on a ar basis, met on August 25, 1915, and condemned the incompetence of the government openly. In his presidential appress P. P. Riabushinski deplored the tardiness of the government in calling upon the social forces of the country. "This leadership of the country has been attempted by persons incapable of leadership, and it is now evident to everybody that a new personnel is needed within the government. . . . We have observed the workings of the government departments from the very beginning of the war, and have come to the conclusion that these departments are unable to meet the situation. . . . It cannot be denied that Russia is at the present moment facing a great danger, and we fear that the time may come when our courage will sink. . . . (*censored*). Our army is suffering heroically. . . . (*censored*)."

This address was met with thunderous applause. Another speaker, Prof. E. L. Zubashov, speaking of the Jews, declared that: "The sons of the Jewish nation are now fighting side by side with the Russians for their country. Unfortunately this country has until now been only a step-mother to them. Let us express the hope that it may now become a mother to them." He, therefore, proposed a resolution favoring the abolition of all restrictive laws against the Jews. His proposal was met

with prolonged applause and was accepted by the convention.*

At a meeting of the Free Economic Society—the foremost economic organization of Russia—on January 16, 1915, the following resolution was adopted unanimously:

“ . . . While they are suffering all the terrors of war together with the rest of the population, the Jewish population, being mainly urban, has suffered particularly from the general disorganization of economic relations not only within the immediate region of military activities, but far beyond. . . .

“At the same time the Jewish population is even at this exceptional time artificially confined to the cities of Poland and the western provinces by force of existing legal limitations which increases the hardships of war for them. If in time of peace these restrictions, which are harmful economically and offensive morally, are recognized as a relic of barbarism that must be abolished, it is all the more difficult to reconcile ourselves with them at the present time, when hundreds and thousands of Jews serve under the Russian banners on the battlefield.

“In view of the fact the Commission has decided to request the Council of the Free Economic Society to communicate with the government and members of the society who are members of the legislative bodies:—

“To immediately stop the functioning of all restrictive laws relating to the Settlement of Jews, and

“To abolish them immediately and permanently by legislative enactment.” **

Numerous commercial and technical associations have passed resolutions declaring that the main cause of Russia's economic backwardness lay in the restrictions placed upon Jews, and that the sole means of combating German predominance over Russian industry and trade

* “Retch,” July 23 (Aug. 10), 1915.

** “Rasviet,” Jan. 25 (Feb. 7), 1915.

is through the abolition of these restrictions.* Among these organizations are the national grain, lumber, fur and gold trades; the Chambers of Commerce of Moscow, Petrograd and the leading cities of Russia and Siberia, the Convention of representatives of finance, commerce and agriculture, and the national Congress of Bourses; the Russo-American Chamber of Commerce, etc. Practically every national convention of every industry has petitioned the government to liberate the economic talents of the Jews by the removal of all legal restrictions.

* Especially characteristic in this respect is the inquiry addressed by the Moscow Merchants' Association to its country members, dealers, manufacturers, etc., on the subject of the best means of combating "German economic domination." The replies have been published as a special report from which the following is quoted:

"All of the replies favor the abolition of the 'Pale of Settlement.' This measure is considered . . . primarily as one of the means for combating German influence in our industry. The hope is expressed that the abolition of the 'Pale of Settlement' will encourage the activity of the middlemen and introduce them to the great masses of the consumers."—The "Yevreiskaya Nedelia," No. 5, 1915.

CHAPTER VIII

LEADING RUSSIAN PUBLICISTS AND WRITERS

Manifesto on Position of Jews

Two hundred and twenty-five (225) leading Russian publicists and writers have issued at the beginning of the war a manifesto which declares (in part) :

“The sorely-tried Jewish nation which has given to the world such precious contributions in the domain of religion, of philosophy, of poetry; which has always shared the travails and trials of Russian life; which has been hurt so often by prejudice and insult; which more than once has proven its love for Russia, and its devotion to her cause is now again exposed to unjust accusations and persecutions.

“The Russian Jews, who are industriously working with us in all spheres of labor and activity that are accessible to them, have given so many convincing proofs of their sincere desire to be with us, to render service to our cause . . . that the limitation of their right to citizenship is not only a crying injustice, but also reacts injuriously to the very interests of the State.

Complete Emancipation of Jews Demanded

“Russians, let us remember that the Russian Jew has no other country than Russia, and that nothing is dearer to a man than the soil on which he is born. Let us understand that the prosperity and power of Russia are inseparable to the well being and the liberty of all the nationalities which constitute its vast Empire. Let us understand this truth, act according to our intelligence

and our conscience, and we shall be certain that the ultimate disappearance of persecutions against the Jews and their complete emancipation shall form one of the conditions of a truly constructive regime."

LEONID ANDREIEFF, distinguished Russian novelist:

Persecutions and Restrictions Fatally Crippling Lives of Russian Jews

" . . . A near solution of the 'Jewish question' evokes a holiday spirit, a feeling of bright, enthusiastic joy.. For, if for the Jews themselves the Pale, the educational embargo, and the rest was a fatal and immovable fact, crippling their lives, they were for me, the Russian, something like an immovable, deforming excrescence, received at an unknown time or condition.

"Is it not queer and strange to think at present that our alleged "barbarity," of which we are accused by our enemies and which makes our friends so indecisive and confused, should be wholly and exclusively based on our Jewish question and its bloody excesses? Take away from Russia these excesses, even if you were to leave anti-semitism in those outwardly decent forms under which it is completing its last days in the backward countries of western Europe, and we shall at once become very decent Europeans, by no means Asiatics or barbarians, whose place is beyond the Ural Mountains.

"I need not refer to Jewish heroism in the defence of the country, to their tragic loyalty and love for Russia, in order to justify the new measures. To demonstrate time and again that 'the Jew is also a man,' would be bowing too low to an absurdity, would insult those whom you love and respect.

"To the Jews' tragic love for Russia corresponds our equally tragic love for Europe, for we ourselves are *the Jews* of Europe; our frontier is the same *Pale of Settlement*, the unique old Russian Ghetto. And let our Push-

kin and Dostoyevsky, like your Byalik, demonstrate to Europe that *we, too, are MEN.*"*

T. MALYANTOVICH (noted Russian lawyer and publicist) :

Promotion of Russian National Cause Demands Rights for Jews

"The struggle for equal right for the Jews is for the Russian his own cause, a real national cause of the first importance.

"The outlawed condition of the Jews has doomed the Russian people to impotence in the achievement of its own happiness. The past has revealed the obvious and inevitable connection between the position of the Jews and the general state of our political and social life. It is impossible, therefore, to postpone to a more convenient time the question of equal rights for the Jews.

"For the Russian people there is no 'Jewish question.' And, therefore, for its solution there is no necessity to love the Jew. You may even hate them. It is only necessary for you to love yourself, your fatherland and your people."*

M. GORKY (famous Russian novelist).

Anti Semitism—A Zoological Instinct

"Time and again,—and ever more frequently,—circumstances compel the Russian writer to remind his compatriots of some indisputable alphabetical truths.

It is a very difficult task—there is painful awkwardness in telling grown up and literate men :

Gentlemen! It is necessary to be humane. Humanity is not only beautiful; it is also useful to you.

The hatred to the Jew is a zoological bestial phenome-

* From the book "Shchit", issued by Gorky, Andreyev, etc.

non—you must combat it ardently for the sake of a more rapid growth of social instincts and social culture.

The Jews are human beings—just as good as the rest of us—and as all human beings they must be free.

Any man performing all the duties of citizenship *eo ipso* deserves the enjoyment of all the rights of citizenship.

Every one has a right to engage his energies in all branches of labor, and in all fields of culture and the wider the limits of personal and social activities the more will the life of the country gain in force and in beauty.

There are many more equally simple truths which should have long since entered into the flesh and blood of Russian society, but have, nevertheless, not entered and are not entering.

Disgraceful Position of Jews—Result of Russian Carelessness

I repeat, it is a very difficult task to assume the part of a preacher of social conventionalities, and to tell the people: It is not good; it is not worthy of you, to live such a filthy, careless, Asiatic life—wash yourselves!

And with all your love of humanity, with all your pity for them, at times you are stupefied in cold despair and with some kind of hatred, you think: Where, after all, is that famous, beautiful, broad, Russian soul? There was so much talk about it, but where is it? In what indeed does its forcefulness, broadness, beauty find expression?

The disgraceful position of the Jews in Russia is also one of the results of our carelessness towards ourselves, of our indifference to the severe and just demands of life.

In this stain—there is the detestable poison of slander—there are the tears and the blood of numberless pogroms.

The Russian Muzhik

It is intolerable to see that people that have performed so much of beautiful, wise and necessary things for the world, are living among us oppressed by restricted laws, which in every way limit their rights to life, labor and freedom. . . . However, when the Russian muzhik (peasant) hears of the persecutions to which the Jews are subjected, he says with the equanimity of an Easterner: "The innocent is not prosecuted, is not beaten."

He at least might have known that in Holy Russia the innocent is much too often prosecuted and beaten, but his ideas of the just and the guilty have been confounded for ages, the sense of injustice is weakly developed in his struggling soul, and is distorted by the boyars and the horrors of servitude.

The Russian Mob

In addition to the people there is one more element—"the mob"—something outside of society, outside of culture, united by the dark sense of hatred to everything that is beyond his intelligence and that is defenseless. I am speaking of that mob which—in Pushkin's—defines itself as follows:

We are small-souled in aim
Wicked, shameless and ungrateful;
Our hearts are cold and dead to love;
Calumniators, slaves and fools.

It is the mob that mainly gives expression to zoological instincts as judophobia.

Defenselessness of Russian Jews

And the Jews are defenseless, and this fact is especially perilous under the conditions of Russian life. Dostoyevsky, who knew thoroughly the Russian soul, pointed out time and again that defenselessness excites in her a voluptuous tendency to criminality.

For the last years a great many people grew up, and these were taught to think that they are the best men on earth, that their enemies are the *inorodtsi* (foreign races), and first and foremost the Jews.

These people are gradually being persuaded that all the Jews are a restless element—strikers and agitators.

Then they were informed that the Jews loved to drink the blood of stolen boys. (Beilis case, etc.)

In our days they are inspired with the idea that the Jews of Poland are spies and betrayers.

Danger of Pogroms after the War

If this preaching will not bring about bloody and disgraceful fruits, it will be only because of the phlegmatic soul of the Russian people. . . . But, if this soul shall be incited by the efforts of the preachers of hate—Jewry will appear before the Russian nation as a race indicted of every crime.

And this will not be the first time the Jew is made the scapegoat guilty of all the misfortunes of Russian life; he already more than once became the lightning rod of our sins, paying with his fortune and life for the help he gave us in our convulsive aspirations towards a better future.

I think it needless to be reminded that our emancipation movements of the past ended in Jewish *pogroms*.” *

* See note page 98.

CHAPTER IX

THE EXPELLED

Women, Children, Old Men and Incapacitated Great Majority of Expelled

N. BRULOV-SHASKOLSKY:

“As for the character of the expelled ‘criminals,’ I will bring at random the statistics of the expelled who are in Poltava. Out of 2,357 people there were 1,619 women, children, old men and incapacitated. In the above number of 1,619 the following are included:

Nursing infants	32
Children from one to three years of age.....	144
Children from four to seven years of age.....	239
Children from eight to fourteen years of age.....	426
Persons over sixty years of age.....	226
Persons over one hundred years of age.....	4
Persons afflicted by grave diseases	16
Blind	6
Dumb	4
Cripples	3
Insane	4
Wounded and other soldiers	6
Total	1,110

Transported Like Criminals; Barred From Any Communication With or Help From Communities en Route

“The expelled had no freedom of movement. They were forwarded under a bill of lading as freight, exclusively into the Pale of Settlement, and only into those parts which are far away from the theatre of war,

on the left shore of the Dnieper. The way was an endless one. The journey from the province of Kovno to the province of Poltava took eight weeks. Then as a result of the complete disorganization, a demand came to have them returned to the province of Kovno. The broken and exhausted were again thrown into the "*teplushkis*" (heated freight cars) and were carried back again. In Kovno they, of course, were not admitted, and sent back once more. 'We were turned into tourists,' said an old Jew on this occasion with the humor of despair. It may be objected, perhaps, that children suffering from scarlet fever and measles and carried in *teplushkis*, persons of the age of over one hundred years dying while on route, women in childbirth right near the dead—that all this is the fate of all the refugees, of Poles and Russians as well as Jews. But the Jews were transported like criminals; they were not permitted out on the railroad stations to get drinking water, deliveries of food were prohibited, physicians were not admitted. The seriously ill were not allowed to be removed on the way. Under present conditions the fate of the refugees has its comprehensible, though cruel, logic of war-time. The expulsion of the Jews, however, during the month of May was a heartless, unreasonable absurdity; they were ruined and driven not by the enemy, but by our own forces." *

Expelled—The Families of Men Battling at the Front

The enormous preponderance of women, children and old people, which at first glance seems incomprehensible, considering that the order of expulsion affects all Jews alike, is explained by the simple fact that the men, in most cases, have been taken into the army.

An illustration of this fact may be found in the results of an inquiry made by the Chernigoff Committee for the Relief of the Jewish population. It has investigated 139 exile families, numbering 589 persons, who have come to

* Petrograd monthly, "Sev Zapiski," Sept, 1915, p. 184.

Chernigoff from the zone of military operations, mostly from the Province of Kovno; 95 members of those families had gone to war. There were some exiled families who had two or three members on the fighting line. On the average, every ten families had furnished seven men to the army.*

Relief Work Hampered

"The representative of the Kiev Jewish Committee who has been working continually for the last three or four months to establish these expelled from the provinces of Kovno and Kurland in the province of Chernigov, arrived at the station of Briansk, province of Orlov, on the same train with the refugees. At present the refugees from these are directed to the province of Nizhni Novgorod. The representative decided to accompany them to the place of destination. On the route he entered the fourth-class ear with his second-class ticket. To the gendarmes and conductors it seemed suspicious, and at the station Briansk he was arrested, notwithstanding the fact that he had letters of recommendation from Prince Urussov and by the Union of Zemstvos.

*"Two members of the Jewish Committee in Briansk were threatened with arrest, if they should dare to appear on the railroad stations while the trains with the refugees were passing. The police reproached the local Jews who brought food to one of the refugee trains. They were told that by provisioning the refugees they caused a rise in the prices of foodstuffs.***

"The Central Jewish Relief Committee had received astounding information from Letzinsk to the effect that the railway authorities have destroyed the food brought by your local coreligionists to feed the hungry Jewish refugees at the station. The latter were not even allowed to buy food, and were sent into the interior provinces in a state of starvation." †

* "Kievskaya Misl," June 26, 1915.

** Rus. Viedomosti, No. 208, Sept. 2, 1915. See also page 59.

† London Jewish Chronicle, Oct. 29, 1915.

CHAPTER X

THE ALLEGED ABOLITION OF THE PALE

Minute of the Council of Ministers of August 4 (17), 1915

“Lately, in connection with the war, the Jews have been leaving *en masse* the theatre of war and have accumulated in some of the interior governments of the Empire. These happenings are to be explained on the one hand by the desire of the Jews to leave in good time the localities menaced by the enemy, and, on the other hand, by the orders of the Russian military authorities to evacuate certain places owing to the advance of the enemy armies. The further concentration of these fugitives, whose numbers are growing constantly and considerably, in the limited area now allotted to them, is causing dissatisfaction among the local autochtone population and may lead to alarming consequences in the shape of wholesale (mass) disorders. In the same way an excessive accumulation of Jewish refugees acts as a serious impediment to the care of the Government in respect of vitualling, finding them employment, and rendering sanitary assistance. In these circumstances, being of opinion that immediate measures must be taken to remove undesirable occurrences, the acting Minister of the Interior has reported upon this question to the Council of Ministers.

Temporary Extensions of Residence Rights Not to Affect Legal Status of Jews

“Having considered this matter and without referring to the question of the general revision of the legislation at present in force concerning Jews, the Council of Min-

isters found that the most suitable way out of the situation that has arisen might be the granting to Jews the right of residence in towns outside the (Jewish) Pale of Settlement. Such a facility, introduced in view of the extraordinary circumstances of the war-time must not, however, apply to the Capitals* and to the localities under the jurisdiction of the Ministries of the Imperial Court † and the Ministers of War. ‡

Necessity to Transplant Factories and Concerns to Towns Outside of the Pale Calls For Granting Jews Right to Hold and Lease Property There

In this connection the Council of Ministers observed that the mere permission to Jews, both as employers and as foremen and workmen in factories and works, who reside in town outside of Pale of general Jewish settlement, does not yet settle the very important question of the further fate and the restoration of the activity of concerns that have been evacuated in the new places. For this purpose arrangements must be made for setting up and equipping concerns, and for that purpose suitable buildings must be adapted. Thereby the question arises of granting Jews who settle in towns outside the Pale of Settlement the right to acquire and hold on lease real property.

Council Believes Residence Concession Automatically Entitles Jews to Hold Real Property; Makes, However, No Order on That Question

But by the general principle of legislation concerning Jews, Jews may acquire real property within the limits of towns wherever they are allowed to reside permanently, whether within the Pale of Settlement or without. (Laws as to Ranks and Classes, edition 1899, sect. 730.) *It is evident that the granting to Jews*

* Petrograd and Moscow.

† Yalta and some other summer residences of the imperial family.

‡ Cossack Territories.

of the right of residence in towns outside the Pale of Settlement, such granting exceeding the limits of the right of temporary presence which is always limited by a definite short term (Institute of Passports, ed. 1903, sect. 68 appendix; Gen. Establishment of Gov'ts, secs. 438 and 17), entails the possibility for the Jews of the right of acquiring and temporarily using real property. Accordingly the Council of Ministers did not find it necessary to make any special orders on that question.

“Passing them to the question of the procedure under which the intended measure may be carried out, the Council of Ministers thought it most correct to authorize the Acting Minister of the Interior to carry it out under the procedure of Articles 158 and 314 of the Establishment of the Ministries, Edition 1892 and Continuation of 1912.”

In View of Extraordinary Circumstances Jews Temporarily Permitted to Live in Towns Outside of the Pale

Pursuant to his authorization by the Council of Ministers of August 4 (17) Prince Cherbator, the Acting Minister of Interior, has sent, on August 15-28 the Governors and Prefects the following circular:

“I beg to inform your Excellency, for the purpose of giving the necessary orders, that in view of the extraordinary circumstances of the time of war and pending the general revision in the manner laid down by the law of the laws and regulations in force concerning Jews, I have permitted, in accordance with the decision of the Council of Ministers of the 4-17th inst. and by virtue of article 158 and 314 of the Establishment of the Ministries, Edition 1892 and Continuation of 1912, Jews to live in the towns outside the Pale of their general Settlement, with the exception of the Capitals and of the localities within the jurisdiction of the Ministries of the Imperial Court and of War.”

The "Abolition" of the Pale Semi-Officially Explained

E. Shunugorski, in his "Notice Book of a Historian," writes:

"The invasion of Western Russia by the Teutons necessarily left many deep traces in this unhappy region, as well as in the neighboring Polish Kingdom. From the cities and villages, ruined and burned by the modern vandals, hundreds of thousands of so-called refugees were desperately trying to save themselves by fleeing from the cruel foe to different places within the Russian Empire. Unfortunately the expulsion of refugees did not from the very beginning, receive the necessary organization, and in the majority of cases resulted in many thousands of victims of our own lack of foresight. Owing to the hidden antipathy on the part of our government to the initiative or the activity of public organizations, the corresponding administrative organs proved inadequate for the handling of this enormous movement of the population—a movement that reminds one of the epoch of the great migration of peoples. The expulsion, *as a matter of fact*, abolished the notorious Pale of Jewish Settlement and brought about "temporary" permission for Jews to settle in all Russian cities, with the exception of the capitals and of the localities which are under the jurisdiction of the Ministries of the Military and of the Imperial Court." *

New Pale Regulations Do Not Abolish Pale— Government Conference Believes

The Government itself evidently considers the new Pale regulations as only a TEMPORARY *de facto* extension of the Jewish domicile rights which does not, however, in any way change their legal status. Months after the alleged abolition of the Pale was broadcast declared, an official governmental conference on the

* "Historical Messenger," a Petrograd monthly, October, 1915. The "Historical Messenger" is published by the publishers of the semi-official newspaper "Novoye Vremya."

regulation of the restrictions of Jewish rights to practice law is *considering the Jewish Pale Settlement as permanently existing*, and accordingly makes the restrictions to practice law tighter outside the Pale than within.

The Petrograd law weekly gives the following concise account of this conference:

Admission of Jews to the Bar Even More Restricted Outside Than Within the Pale

"A special conference at the Ministry of Justice re the admittance of Jews into the corporation of advocates, resolved by a majority vote against the votes of the representatives of the Councils of Advocates and of V. A. Maklakav that Jews be admitted to enroll as advocates within the limits of per cent. norm; viz., in the Court Districts outside the Pale of Settlement—five per cent.; in Court Districts including both governments outside the Pale and governments within this Pale—ten per cent.; in Districts within the Pale—fifteen per cent."*

Local Administration Blocks Pale Concessions

But even as a measure of temporary relief the new regulations were made worthless by the practice of one local administration, as evidenced from the following communications of the Russian and "allied" press:

Kiev.—"The Elder of the Merchants, Chokolov, petitioned the military authorities, asking them to abolish the prohibition to enter Kiev without special permission or at least to mollify this prohibition for persons engaged in commerce.

"A strange thing happened with regard to the question of abolition of the Pale in Kiev. The Circular of Shcherbatov was received and sent to the Regencies of the Provinces, but nonetheless it was not enforced. Jews who are coming into Kiev can gain no entrance

* "Pravo," No. 44, November 1, 1915, page 2819.

into that city. All petitions of persons interested brought no results. The circular appears to be entirely a "lost document." A deputation of the Jews visited Savenko,* asking him to address Shcherbatov. Savenko promised his assistance."†

Transcaspian Region Barred to Jews

"The representatives of the Jewish community of the city of Askaabad have sent a telegram to the member of the State Duma, N. M. Freedman, communicating that the local administration bars the Jewish refugees from settling in that city. In pursuance of this telegram, N. M. Freedman appealed to the Minister of the Interior to permit the refugees to settle in the Transcaspian region until the conclusion of the war, because of their complete destitution. These days the Deputy has received an answer from the Chief of the Asiatic Division, that, according to the resolution of the military Minister, pursuant to definite instructions of the Council of Ministers, recorded in the special minutes of August 4th, it is impossible to grant his appeal."**†

Jews Excluded from Baku and Taganrog (Caucasus)

"Petrograd—The Ministry informed Deputy Freedman that it could not interfere with the military authorities who had set up restrictions against the settlement of Jews at Baku and Taganrog, despite the Government circular permitting Jews to reside there."**

Jews Prohibited from Settling in Towns of Caucasus

"The Northwestern and the Perm Military Commercial Committees have appealed to the Ministry to grant Jewish factory owners and workmen facilities to settle outside the Pale, even in the villages.

* Savenko is the editor of the reactionary newspaper "Kievlianin," known as a pivot of Autocracy and Orthodoxy and as quite unfriendly to the Jews.

† "Russian Messenger," September 5th, No. 205, page 4.

** "Pravo" (a Petrograd law weekly), No. 42, October 19 (31), 1915, p. 2671.

** "London Jewish Chronicle," October 22, page 8.

On the other hand, Grand Duke Nicholas, the new Viceroy of the Caucasus, has issued an order prohibiting Jews to settle in the towns in the Caucasus, thus annulling the effect of Prince Tcheribatoff's circular in the districts entrusted to him. The Grand Duke also gave orders that all Jewish refugees who recently settled in the Caucasus, including privileged Jews, merchants and artisans, should be immediately expelled to the Pale.*

Siberia Barred to Jews in Spite of "Abolition" of the Pale

The member of the Duma from the Amur region, A. E. Rislev, received the following telegram from the official rabbi of the city of Blagoveschensk:

"The local administration, which received no exact instructions with regard to the circular of August 4th, declares that this circular does not apply to Siberia, and particularly to the Territory of the Amur. The administration therefore does not permit the domicile of the Jews coming here. I am simultaneously telegraphing to the Minister of the Interior, requesting for telegraphic instructions. I ask your assistance for a request that a just interpretation of the circular concerning the domicile rights of Jews in the Territory of Amur be given."

As is known, the Department of General Affairs has recently in a letter informed A. E. Rislev that the circular over the abolition of the Pale of Settlement applies to the Siberian Jews as well. Nonetheless, the local administration, according to Rislev, does not permit Jews to settle in Siberia. Rislev, therefore, again applied to the Ministry of Interior with a request to instruct the local administration that the Pale be extended.**

* "London Jewish Chronicle," November 12.

** "Pravo," No. 44, November 1, 1915, page 2822.

Characteristic Cases Arising Under Existing Pale Regulations *

1. "The Governor of the city of Rostov applied to the Senate for instructions as to *whether wives of Jews holding diplomas from universities or from other higher institutions of learning have domicile rights in the Territory of the Army on the Don, when they are not living with their husbands.*

"The Senate found that the privileges granted to Jews are not extended to localities where special restricting regulations concerning the Jews are in force. The above question should be decided in the negative." †

2. "At a joint session of the First Department and Cassation Departments of the Senate a question as to *whether the widow of a Jewish physician has the right of acquiring immovable property outside of the Pale of Jewish Settlement.* The case arose under the following circumstances: After the death of the physician, Lifshitz from Libau, his wife petitioned the District Court of Libau to confirm her rights of inheritance of the physician's house in Libau. The District Court of Libau and then the Court of Appeals of Petrograd have found that the wife of the physician has no right to possess immovable property in Libau by virtue of the Doctor's degree acquired by her husband, since she has domicile rights all over the Empire during his life only. The District Court therefore resolved to confirm her in the inheritance right under the condition that she must sell her property within six months. The widow appealed to the Senate. In view of the different precedents in the case, it was forwarded for consideration to a joint session of the 1st and the cassation departments. The joint session found that the widow of a physician has a right to acquire immovable property in town-settlements outside of the Pale of Settlement, but in only the locality elected by her as the place of her permanent residence." **

* See also page 113.

† "Pravo," Sunday, May 17, 1915, No. 20, page 1492.

** "Pravo," No. 21, May 24, 1915, page 1560.

CHAPTER XI

THE ALLEGED CANCELLATION OF PROCEEDINGS UNDER ARTICLE 1,171 OF VOLUME XV OF THE PENAL CODE

Confiscation and Expulsion for Engaging in Other Than Expressedly Permitted Trade

“Article 1171: Jews, for engaging outside of the Pale of Settlement, in any trade except that which is expressly permitted to them in the cases enumerated in the law, are subjected to confiscation of their goods and expulsion from those localities (into the Pale of Settlement).”

A Characteristic Case of Application of Article 1,171 of the Penal Code in a Russian Court

“The case in question, which concerned trading by Jews outside the Pale of Jewish Settlement, came before the Petrograd Court of Appeal on Wednesday, March 17.

“Two men, B. and G. Pliner, father and son, were accused of dealing in meat. The former is a blacksmith, the latter a coppersmith. They have lived for thirty-five years, each one carrying on his trade, in the village Piatiousovo, in the government of Pskov. When the local Administration, on the report of some fellow-villager, took action against the two men for dealing in meat, they gave the following explanation: In the whole of the village the Pliners are the only Jewish family, and for that reason they could not buy “kosher” meat there. The family of the Pliners con-

sist of sixteen souls. In order, at least sometimes, to have meat they would buy a calf or other animal, and would arrange for the attendance of a qualified Jewish slaughterer. As the hind quarters are not permitted to observing Jews for consumption, they would sell these at a low price to their neighbors.

"The Investigating Magistrate, having established that the explanation given was borne out by the facts, directed that the proceedings be abandoned, as no guilty act whatever had been committed. The District Court of Velikolutsk did not, however, share the view of the Investigating Magistrate, and ordered the action to proceed. Nor did Pliner's statement avail that at the very time that he is being "tried for nothing," two of his sons and two of his sons-in-law are at the front, and fighting in advanced positions. The Court convicted both father and son, and sentenced them to be sent back to the Pale of Settlement.

"The Court of Appeal upheld the verdict of the District Court." *

Imperial Order of September 16th Granting Amnesty From Criminal Proceedings Under Article 1171

"On the 16/29th of September, the Imperial assent was given to the cancellation of all proceedings that commenced before the promulgation of the present order within the limits of the Russian Empire charging Jews with the criminal action within the meaning of Article 1,171 of the Penal Code (concerning trading outside Pale of Settlement) as regards criminal proceedings in the stage of investigation and of trial and the punishment of all persons against whom action was taken under that head, also abolishing measures that have been taken for preventing them from escaping the judicial investigation and trial.

"At the same time, in view of the permission granted to Jews to reside in the town settlements, the Minister

* "Manchester Guardian," April 6, 1915.

of Justice has instructed the Public Prosecutors of the Courts of Appeal and District Courts to take suitable steps *that until the said permission is abolished no criminal proceedings to be taken against Jews under Article 1,171 of the Penal Code*, provided the criminal committed in town settlements other than the capitals and localities within the jurisdiction of the Ministers of the Imperial Court and of War.”.*

Court Interpretation Practically Annuls Imperial Amnesty

“As far back as 1913, criminal proceedings were instituted against brothers Sher (Shaul and Ber) of Reval. Both enjoyed their right of domicile in Reval as artisans—sausage makers,—and it was alleged that they were dealing not only in the products of their trade—sausages—but in meat also.

One of the brothers was nearly 17 years old.

The district Court of Reval convicted both and *sentenced them to be sent back to the (Jewish) Pale of Settlement and to the confiscation of their goods*.

The case was taken by the convicted to the Court of Appeals and was heard there now after the promulgation of the Imperial Ukase of September 16.

The attorneys for the defense, E. Gordon and V. V. Somov, requested that in pursuance with the Imperial Order the case be dismissed.

The Public Prosecutor argued against the dismissal of the action, maintaining that the Imperial Order does not apply to localities where martial law is declared. Now, since Reval is declared under martial law and is looked upon as a fortress, consequently it belongs to the number of localities unaffected by the concession granted by the Imperial Order of September 16.

The defense protested that only localities *within the jurisdiction* of the Minister of War are exempted from the Imperial amnesty. Now, the legal term of a locality

* “Novoye Vremya,” Oct. 14 (27), 1915.

under the jurisdiction of the Minister of War could by no means be identified with the term "localities temporarily declared under martial law."

In the General Establishment of Governments, however, in the list of localities, according to jurisdiction, Reval is expressly included in the number of cities which are under the jurisdiction of the civil authorities and subject to the general laws.

Finally, if there really was intention not to apply the Imperial Order of 16/29 of September to localities under martial law, *there was no reason for having it promulgated*, because by such a narrow interpretation *the Order would have been completely annulled*, as at present the *entire country was practically under martial law*.

Moreover, martial law was declared in Reval only during the war, whereas the case under consideration took place yet in 1913 when the city was under no martial law.

The Court of Appeals, after a long, continued conference, resolved that the proceedings should not be discontinued. Sh. Sher was acquitted by the Court of Appeals finding the evidence unsubstantiated in his case. The younger brother, B. Sher, was, however, found guilty and the *sentence of the District Court was upheld.*" *

* "Yevreiskaya Zhizn," January 3, 1916, No. 1.

CHAPTER XII

NEW RESTRICTIONS OF JEWISH RIGHTS IMPOSED DURING THE WAR

1 *Educational Restrictions—Admittance of Jews into Secondary Schools*

“The Acting Minister of Public Education instructed the Curators of the Educational Districts to accept the following rules in place of the existing regulations, as to the admittance of Jews into secondary schools:

- “(1) Jews are admitted to examinations at the same time with students of other faiths.
- “(2) The successes of the Jews as shown at the examination are marked either ‘satisfactory’ or ‘unsatisfactory.’
- “(3) From those who get the ‘satisfactory’ mark the children of Jews who have been called into the active army and have received a distinction, or of those who have been killed or wounded, shall be given preference over other Jews for admittance to Jewish vacancies in the limits of the per cent. norm.
- “(4) Those who got the satisfactory mark and who are the children of Jews who have been called to the active army, but who do not satisfy the conditions of section 3, are admitted to the Jewish vacancies which are left, after the enrollment of persons mentioned in section 3.
- “(5) If the number of Jews mentioned in section 4 is larger than the number of vacancies, a lot shall be cast among them.
- “(6) The Jewish vacancies left after enrollment of persons mentioned in sections 3-4 shall be divided by lot among the other Jews who got the ‘satisfactory’ mark at the examination.” *

* “Russkiye Vedomosti” (Moscow Daily), April 5, 1915.

2. *Restriction of Jewish Rights in the Polish Municipal Self-Government Introduced During the War.*

The law introducing municipal self-government in Russian Poland was promulgated on March 17 (March 30), 1915, in order of article 87 of the fundamental laws (i. e., without the assent of the National Duma and Council of Empire).

The law subjects the Jews in the Polish Municipal Corporations to the following restrictions:

“Article xxiii

“Sec. 12: Jews are not eligible for Chairmen of Municipal Councils, or as Presidents, Vice-Presidents, City Elders, or members of the Executive Committees. They shall not be admitted to the management of separate branches of the city affairs, or of the city government. The Jews shall also not be eligible to the offices of Municipal Secretary or Secretary of the Executive Committee, neither of Acting Secretaries.

“Sec. 16: For the administration of the election of city aldermen, the voters shall be divided into three electoral colleges: the first to be composed of persons of Russian origin; the second, of Jews, and the third to consist of all others voters.

“Sec. 18: In cities where the Jews comprise over *one-half* of the total population of the city, the second electoral college elects *one-fifth* of the total number of the city aldermen; in other cities the number of aldermen to which the second electoral college is entitled shall depend on the proportion of the number of its voters to the total number of voters in both of the other electoral colleges. But it shall in no case exceed *one-tenth* of the total number of aldermen.”

APPENDIX I

Public Opinion in the United States and Great Britain Favors Emancipation of Jews in Belligerent Countries

1. London Lane Resolution.
2. Resolution of the National Executive Committee of the Socialist Party of the United States.
3. Resolution of the Convention of the American Federation of Labor.
4. Resolution of the Trades Union Congress of Great Britain.
5. Resolution of the North Hackney Liberal and Radical Association.

London—Lane Resolution Introduced in the House of Representatives and Senate of the U. S.

“Joint resolution calling upon the President of the United States to convene a congress of neutral nations to offer mediation to the belligerents in Europe. (In part):

“*Whereas*, The people of the United States, while neutral, cannot be indifferent to the fratricidal conflict which is devastating Europe; and

“*Resolved*, That it is the judgment of the Senate and House of Representatives of the United States that a durable peace can be established if the following principles shall be made the basis of discussion in said congress of neutral nations.

“Second, deliberation of oppressed nationalities.
“Fourth, Removal of the political and civic disabilities of the Jewish people wherever such disabilities exist.”

The Socialist Party of the United States

The National Executive Committee of the Socialist Party of the United States which met 11-15 September, 1915, adopted the following resolutions:

“Whereas, the Jews, in spite of reports to the contrary, are still being denied their human and national rights by many of the European countries, and

“Whereas, the present war, especially the bloody conflict now raging on Russian territory, has increased manifold the unusual suffering and unheard of persecution of the people of this race; this in spite of the fact that the Jews, by hundreds of thousands, are fighting as soldiers in the contending armies, and

“Whereas, this inhuman persecution has its roots in the intolerable tyranny exercised over the Jewish people before the beginning of the war, the masses of the ignorant population of the various countries not to mention the overbearing and irresponsible soldiery being taught by those in control of government to look upon the Jew as an inferior human being, the permissible object of studied insult and intended offense without the least danger of punishment to the offender, and

“Whereas, the International Socialist movements of every nation where this question arises, have lost no opportunity to declare unequivocally for the full emancipation of every oppressed nationality, as well as that of the Jewish race, and

“Whereas, this National Workmen's Committee, through the activity of our comrades of the Jewish Federation of the Socialist Party, is inspired to its work by the proper proletarian and socialist spirit, and

“Whereas, the Jewish Workmen's Committee recently held a national convention in New York, where more than 350,000 organized Jewish working men were represented, and

“Whereas, this convention has sent a delegation to appear before our committee requesting the indorse-

ment and support of the National Socialist party of the United States, therefore be it

“Resolved, that we the members of the National Executive Committee of the Socialist Party of the United States heartily approve and indorse the aims set forth in the above resolution and pledge our support to the Jewish workers in their righteous cause, and be it further

“Resolved, that we request comrade Meyer London, our Congressman, elected from New York City, to prepare a set of resolutions presenting the aims of the National Workmen’s Committee and introduce it into Congress after it convenes in December, and be it further

“Resolved, that the Socialist Party of the United States, instruct its delegates to the next International Socialist Bureau, to bring these resolutions to the attention of the said Bureau and Congress when they reconvene, so that united international action may be taken by the Socialist Parties of all countries to aid in every way possible, the Jewish people in their struggles to win full and equal rights with all other people in the countries where they live and where these rights are now denied them. *

American Federation of Labor

The convention of the American Federation of Labor held in November, 1915, in San Francisco, Cal., adopted the following resolution:

Resolution 113:

“Whereas, It has been the good fortune of the people of the United States to be comparatively free from the turmoil of European strife, its hatreds and prejudices; and

“Whereas, The people and the government of the United States are in a position to exercise a beneficent influence in aiding the world to lay a foundation for a

* American Socialist, Sept. 25, 1915.

durable and permanent peace based upon justice to all;
and

“*Whereas*, In some of the war countries of Europe, and in Roumania the Jewish people are still deprived of elementary political and civic rights; and

“*Whereas*, Every form of religious oppression and discrimination is contrary to the spirit of the American people; therefore, be it

“*Resolved*, That the American Federation of Labor requests the Government of the United States to urge upon the governments of the nations of other countries to cease discriminations wherever they exist, and now practiced against the Jewish people; and be it further

“*Resolved*, That the same appeal be made by the American Federation of Labor to the organized workers of all nations.”

The Trades Union Congress of Great Britain

The Trades Union Congress which met during September, 1915, in Bristol, unanimously adopted the following resolution:

“That the Congress fervently hopes that civil and political rights will be granted to the Jews of those countries where these common rights are at present denied them, in recognition for the great sacrifices, the best manhood of Jewry is making on the side of the Allies in our common fight for liberties of the world, and that the Parliamentary Committee shall petition the British Government to use its good offices in that direction when the opportunity will arise.” *

North Hackney Liberal and Radical Association— Great Britain

The following resolution was passed unanimously at a meeting of the North Hackney Liberal and Radical Association held in October, 1915.

* London Jewish Chronicle, Sept. 17, 1915.

“That in view of the Prime Minister’s declaration as to this being a war of liberty and freedom, and for the rights of small nationalities, this executive greatly deplores the continued serious prosecution of the Jews in Russia, 400,000 of whom are fighting their country’s battles; and having regard also to the unfavorable impression this is making on neutral countries, urges the Government to use its influence to alleviate the sufferings of these people. That copies of this resolution be sent to the Prime Minister and Sir Edward Grey.” *

* London Jewish Chronicle, Oct. 22, 1915.

APPENDIX II

A LONDON APPEAL TO AID THE REFUGEE— JEWES IN RUSSIA

"Fund for the Relief of the Jewish Victims of the War in Russia

LEOPOLD DE ROTHCHILD, Esq.,
President

Right Hon. LORD SWAYTHLING,
Treasurer

GENERAL COMMITTEE:

The Very Rev. the Chief Rabbi,
Dr. J. H. Hertz
The Very Rev. the Haham, Dr. M.
Gaster, Ph.D.
The Right Hon. Lord Reading, G.
C. B., C. V. O.
The Right Hon. Lord Michelham,
K. C. V. O.
The Right Hon. Herbert Samuels,
P. C., M.P.
Sir Lionel Abrahams, K. C. B.
Sir Herbert B. Cohen, Bart.
Sir Charles Henry, Bart., M.P.
Sir Joseph Lyons
Sir Philip Magnus, M.P.
Colonel Sir Frederic Nathan
Lieut-Colonel Sir Matthew Nathan,
G. C. M. G.
Sir Marcus Samuel, Bart.
Sir Stuart M. Samuel, Bart. M.P.
Sir Isidore Spielmann, C. M. G.
Sid Edward Stern
Sir Adolph Tuck, Bart.
Louis Abrahams, Esq.
Elkan N. Adler, Esq.
David L. Alexander, Esq., K. C.,
(President, London Committee of
Deputies of British Jews)
S. G. Asher, Esq.
Henry E. Beddington, Esq.
John H. Beddington, Esq.
Dr. R. Blank (Delegate of the Fed-
erated Relief Committees of Pet-
rograd, Moscow, Kieff, and Odes-
sa)
George A. Cohen, Esq.
Leonard L. Cohen, Esq. (President,
Jewish Board of Guardians)
Robert Waley Cohen, Esq.
Joseph Cowen, Esq. (President,
English Zionist Federation)
O. E. d'Avigdor Golsmid, Esq.
Felix Davis, Esq. (Vice-President,
United Synagogue)
Charles de Pass, Esq.
Ernest L. Franklin, Esq.
Arthur E. Franklin, Esq., J.P.
(President, Jewish Religious Edu-
cation Board)
Leonard B. Franklin, Esq.
L. J. Greenberg, Esq.
Lieut-Col. Cecil Q. Henriques
Henry S. Q. Henriques, Esq.
Albert H. Jessel, Esq., K.C. (Vice-
President, United Synagogue)
S. B. Joel, Esq.
Benjamin Kisch, Esq.
Herman Landau, Esq. (President,
Central Committee for Relief of
Polish Jews)
Simeon Lazarus, Esq.
Herbert G. Lousada, Esq. (Chair-
man, Council West London Syna-
gogue of British Jews)
Colonel F. A. Lucas, J.P.
Claude G. Montefiore, Esq. (Presi-
dent, Anglo-Jewish Association)
Arthur R. Moro, Esq.
Albert Reitlinger, Esq.
Louis Meyersbach, Esq.
Hon. N. Charles Rothchild
Major Lionel de Rothchild, M.P.
Samuel Samuel, Esq., M.P.
F. D. Sassoon, Esq.
Meyer Sassoon, Esq.
Issac Seligman, Esq.
Oswald J. Simmon, Esq.
N. Sokolow, Esq.
James H. Solomon, Esq.
M. A. Spielman, Esq.
Henry Vanden Bergh, Esq.
Alfred Waley, Esq.
Lucien Wolf, Esq.
Albert M. Wolff, Esq.
Isreal Zanwill, Esq.

EXECUTIVE COMMITTEE

Leopold de Rothschild, Esq., C.V.O.
The Right Hon. Lord Swaythling
The Very Rev. the Chief Rabbi
The Very Rev. the Haham
Elkan N. Alder, Esq.
David L. Alexander, Esq., K.C.
Leonard L. Cohen, Esq.
H. S. Q. Henriques, Esq.
Herman Landau, Esq.
Herbert G. Lousada, Esq.
Sir Joseph Lyons
Claude G. Montefiore, Esq.
Albert Reitlinger, Esq.
Sir Marcus Samuel, Bart.
Lucien Wolf, Esq.

Appeal

The calamity which has befallen the Russian and Polish Jewish communities is of the most appalling character, and has, indeed, no precedent in the tragical vicissitudes of the Jewish people.

“From end to end of the Pale of Settlement—the centre of gravity of the European Jewry—the country has been ravaged with a completeness unparrelleled in the other vast battlefields of the war. Theebb and flow of three invasions have left the whole of Poland and many of the contiguous provinces almost desolate, and the larger part of the population are now fugative—for the most part starving and shelterless—in the provinces to the rear of the battling Russian lines. For months past our well-to-do Russian co-religionists living outside the Pale have grappled courageously and generously with their share of this colossal problem, but their resources are quite inadequate to meet the daily increasing demands made upon them. It is for this reason that they now ask the Jews of the world to come to their assistance, and we feel confident that their call will find a responsive echo in every Jewish heart.

“It is not possible at this moment to give exact statistics of the Jewish victims for whom help is needed. The expulsions from the war zone, which began last autumn, and which were from the outset attended by terrible hardships, had by the end of May gradually depopulated all the chief Jewish centres in fourteen Russian and Polish provinces and the larger part of Galicia. The number of Jewish fugitives for whom the Relief Committees of Petrograd, Moscow, Kieff, and Odessa were then making provision was 526,000, and the cost of their maintenance was no less than 3,682,000 roubles per month. Since then the distress has more than doubled, both in intensity and volume. The larger part of the Jews who had remained in Poland have joined their Christian fellow-countrymen in flying before the German occupation, and it is estimated that of the refugees

now wandering helplessly in the provinces east and south-east of Warsaw quite a million and a half are Jews.

“The distress of the Jewish refugees has unhappily been accentuated by the fact that they consist in so large a proportion of the most helpless elements of the community—old men, women, and children. Even in normal times their burdens in this respect are disproportionately heavy, but in the present war the sacrifices imposed upon them have been vastly increased by the patriotic alacrity with which the whole valid Jewish manhood of Poland and Russia has rallied to the colors, supplying large numbers of volunteers in addition to the ordinary contingents of reservists and recruits. Thus the refugees have a double claim upon the sympathy and help of their brethren in the allied countries. We owe it as much to their brave sons, brothers, and husbands, who, with such signal honor to the Jewish name, are helping us to fight our battles for national existence, as to their own heartrending need that we should fly promptly and generously to their assistance.”*

CHARLES E. SEBAG-MONTEFIORE, Esq.,

OTTO M. SCHIFF, Esq.,

Honorary Secretaries.

* Reprinted (in part) from “London Jewish Chronicle,” of Nov. 17, 1915.